**Salt River Pima-Maricopa Indian Community**

**10005 East Osborn Road**

**Scottsdale, Arizona 85256**

**ORDINANCE NUMBER: SRO-XXX-202X**

TO AMEND ZONING THE ORDINANCE (SRO-467-2015 and SRO-478-2016) OF THE SALT RIVER PIMA-MARICOPA INDIAN COMMUNITY BY REPEALING IT IN ITS ENTIRETY AND ADOPTING A REVISED ZONING ORDINANCE UNDER CHAPTER 25 OF THE SRP-MIC CODE OF ORDINANCES, TO PROMOTE, PROTECT, AND UPDATE THE COMPREHENSIVE AND ORDERLY PLANNED USE OF LAND RESOURCES, AND TO IMPLEMENT THE GOALS, POLICIES, AND OBJECTIVES OF THE SALT RIVER PIMA-MARICOPA INDIAN COMMUNITY GENERAL PLAN

**BE IT ENACTED THAT:**

**The Zoning Ordinance (SRO-467-2015 and SRO-478-2016) of the Salt River Pima-Maricopa Indian Community, as codified in Chapter 25 of the SRP-MIC Code of Ordinances provided in Article 2.6 may be amended, supplemented, modified or repealed. Therefore, the Zoning Ordinance (SRO-467-2015 and SRO-478-2016) is hereby repealed in its entirety, and a revised Zoning Ordinance, codified in Chapter 25 of the SRP-MIC Code of Ordinances is hereby adopted in its entirety pursuant to Article 2.6 of SRO-467-2015 and SRP-MIC Administrative Policy 1-20, as follows:**

**Amendments**

| Name | Ordinance | Date Approved | Changes |
|---|---|---|---|
| Revised Zoning Ordinance | SRO-467-2015 | July 1, 2015; Effective July 31, 2015 | Repealed SRO-74-82 and replaced with new Chapter 25, SRO-467-2015 |
| 2016 Technical Amendment | SRO-478-2016 | December 9 2015 | Revised Article 2.5 Community Council Approval Process |
| 2023 Amendment | | | Repealed SRO-467-2015 and SRO-478-2016 and replace with SRO-XXX-202X. |

# Table of Contents


***Chapter 1*** **General Provisions and Administration ..... 1**

Article 1.1 General Provisions ..... 1
Article 1.2 Administration ..... 4

***Chapter 2*** **Application, Review and Approval Processes ..... 10**

Article 2.1 Application for Development ..... 11
Article 2.2 Preliminary Application ..... 12
Article 2.3 Formal Application ..... 13
Article 2.4 Administrative Approval Processes ..... 14
Article 2.5 Community Council Approval Process ..... 13
Article 2.6 General Plan Amendments ..... 16
Article 2.7 Zoning Map Amendments (Rezoning) ..... 15
Article 2.8 Zoning Ordinance Text Amendments ..... 17
Article 2.9 Conditional Use Permits ..... 18
Article 2.10 Dimensional Variances ..... 17
Article 2.11 Use Variances ..... 20
Article 2.12 Deviation from site improvement standards ..... 21
Article 2.13 Development Review ..... 22
Article 2.14 Approval conditions and decisions ..... 24
Article 2.15 Transferability of permits / approvals ..... 25
Article 2.16 Required Analysis and Studies ..... 25
Article 2.17 Building Permits, Certificates of Occupancy, Certificates of Completion ..... 25

***Chapter 3*** **Zoning Districts ..... 27**

Article 3.1 Establishment of Zoning Districts ..... 27
Article 3.2 General Zoning District Regulations and Standards ..... 28
Article 3.3 Administrative Public (AP) Zoning District ..... 33
Article 3.4 Commercial (C1, C2, C3) Zoning Districts ..... 34
Article 3.5 Mixed Business (MB) Zoning District ..... 37
Article 3.6 Light Industrial (LI) Zoning District ..... 38
Article 3.7 Agricultural Residential (AR) Zoning District ..... 39
Article 3.8 Natural Resource (NR) Zoning District ..... 41
Article 3.9 Open Space (OS) Zoning District ..... 42

***Chapter 4*** **Land Uses and Specific Use Standards ..... 44**

Article 4.1 Land Use Table ..... 44
Article 4.2 Specific Use Standards ..... 55
Article 4.3 Conditional Use Standards ..... 63

***Chapter 5*** **Overlay Districts ..... 66**

Article 5.1 General Provisions ..... 66

Article 5.2 Planned Development Overlay District (PD) ..... 67
Article 5.3 Floodplain Overlay District (FP) ..... 70
Article 5.4 Pima Corridor Overlay District (PC) ..... 71

***Chapter 6*** **General Development Standards and Regulations..... 73**

Article 6.1 Applicability ..... 73
Article 6.2 Site Planning ..... 73
Article 6.3 Landscaping ..... 74
Article 6.4 Storm Water Management ..... 86
Article 6.5 Circulation ..... 88
Article 6.6 Building Design ..... 91
Article 6.7 Parking Requirements and Standards ..... 93
Article 6.8 Outdoor Lighting ..... 109
Article 6.9 Signs ..... 118

***Chapter 7*** **Supplemental Regulations ..... 143**

Article 7.1 Wireless Communications Facilities (WCF) ..... 143

***Chapter 8*** **Definitions and Measurements ..... 154**

Article 8.1 Purpose ..... 154
Article 8.2 Interpretation and Rules of Construction ..... 154
Article 8.3 Measurement and Calculations ..... 155
Article 8.4 Specific Definitions ..... 156

## Exhibits

Exhibit A: Official Zoning Map of the SRP-MIC ..... 187

# *Chapter 1* General Provisions and Administration

## *Article 1.1 General Provisions*

### *Section 1.1.1 Short Title*

This ordinance, including any amendments to this ordinance and the zoning map, is cited and referred to as the "Zoning Ordinance of the Salt River Pima-Maricopa Indian Community" (SRP-MIC), or the "Zoning Ordinance."

### *Section 1.1.2 Purpose*

The purpose of the Zoning Ordinance is to:

A. Promote and protect the public health, safety, convenience, aesthetics and welfare of the Community members and visitors of the SRP-MIC.

B. Promote effective and efficient development review and land use administration.

C. Provide for the social, physical and economic advantages resulting from the comprehensive and orderly planned use of land resources.

D. Implement the goals, policies and objectives of the Community's General Plan and applicable purposes of development in Code of Ordinances.

E. Give due consideration to each of the following:

1. The values and aesthetic historic references of the Onk Akimel O'odham (Pima) and Xalychidom Piipaash (Maricopa) people.
2. Creating a convenient, attractive and harmonious Community.
3. Protecting the cultural, historical, natural and scenic resources.
4. Preserving significant lands.
5. Meeting the current and future needs of the Community through suitable and efficient use of land and resources, sensitive site and building design and the application of sustainable development best management practices.
6. Allowing an appropriate level of intensity of commercial development and maintaining a rural setting for residents of the Community in the Community member areas.
7. Safety from fire, flood and other dangers.
8. Reducing or preventing congestion in the streets and providing safe, convenient access.
9. Providing adequate access to sunlight and flow of air.
10. Preserving the dark night sky.

***Relationship to General Plan and other planning documents***

*The Zoning Ordinance implements the goals and policies in the General Plan and of other adopted land use plans, policies and planning documents. However, the Zoning Ordinance is not subject to challenge based on any alleged nonconformity with a planning document.*

*The SRP-MIC Design Standards and Policies as amended are supplemental to this Zoning Ordinance. They communicate the intent of the ordinance and are applied in the Development Review process.*

*Using the Design Standards and Policies in concert with the Zoning Ordinance in proposed development is important to meeting the Community's expectations of development. Their purpose is to:*

*Encourage development uniquely suited to the context of the SRP-MIC that reflects the Community's culture and design preferences and that responds to the desert environment.*

*Illustrate the Community's expectations of development and the intention of the regulations of the Zoning Ordinance without being overly prescriptive.*

*Motivate building, landscape and site designers to create highly integrated solutions where the results exceed those of simply meeting the various development standards individually.*

*Encourage creative developments that are visually interesting and uplifting to experience.*

11. Avoiding hazards and nuisances to Community members from inappropriate location or operation of land uses.

### *Section 1.1.3 Severability*

The provisions of this Zoning Ordinance are severable. If any provision is declared invalid by a court of competent jurisdiction, the effect of the decision is limited to the provision or provisions that are expressly stated in the decision to be invalid. The decision does not affect, impair or nullify this Zoning Ordinance as a whole or any other part thereof.

### *Section 1.1.4 Jurisdiction, Scope and Applicability*

A Except as provided in this ordinance, this ordinance applies to all territory, uses and improvements within the exterior boundaries of the Community, including all public and private lands and all uses thereon, and to all structures and buildings over which the Community has jurisdiction under the constitution and laws of the Community or pursuant to the Community's powers.

B No use shall be established or changed, no structure, building or improvement shall be built, expanded, remodeled, improved, maintained, removed or demolished and no site shall be used, graded or trenched in any zoning district without prior approval using the appropriate process described in this ordinance and in conformance with all applicable legal requirements and this ordinance.

C The Zoning Ordinance does not abrogate, annul, impair or interfere with any lawful action taken, permit issued, or lawfully vested zoning rights granted by the Community prior to the enactment of this Zoning Ordinance.

D The Community Development Department (CDD) Director may temporarily waive any or all provisions of this Zoning Ordinance during an emergency declared by the Community President, Vice President, or Community Manager. A flood, wildfire, tornado, earthquake or other similar situations are examples of an emergency.

### *Section 1.1.5 Warning and Disclaimer of Liability*

A. Enforcement of, conformance with, or reliance upon this ordinance does not create liability on the part of the SRP-MIC or any SRP-MIC government officer or employee for any damages.

B. The provisions required by this ordinance and other regulations of the SRP-MIC are considered reasonable for regulatory purposes. Events and circumstances other than those considered in any regulations, or that exceed those anticipated, may occur due to human-made or natural causes.

C. Reliance upon or conformance with the provisions of this ordinance does not imply that uses or improvements permitted are free from all dangers and does not exempt the user or installer from any liabilities.

### *Section 1.1.6 Legal Nonconforming Land Uses and Improvements*

A. **Nonconforming status.** Any situation that constituted a legal, nonconforming situation under a previously adopted Zoning Ordinance will continue to be a permitted legal nonconforming use or improvement under this Zoning Ordinance.

B. **Discontinuance of a legal nonconforming use.** Whenever a nonconforming use is abandoned or ceases to exist for a period in excess of six (6) months, as determined by the CDD Director, any subsequent use of the premises must comply with this ordinance. Payment of taxes, rent or lease payments shall not constitute continued use.

C. **Expansion limit of a nonconforming use.** No person may engage in any activity that causes an increase in the extent or intensity of a nonconforming use except as follows:

1. A legal nonconforming use may expand on the same lot or parcel up to a total increase of twenty-five (25) percent above that existing at the time the use became nonconforming. This twenty-five (25) percent limitation applies to single expansions or expansions made in

multiple events, cumulatively of the gross floor area, building footprint and outdoor areas such as storage, sales, display, seating, operation and work areas that existed at the time the use became nonconforming.

2. All improvements involved in expansion and/or alterations or modifications of existing improvements shall conform to this ordinance and shall not increase the extent of the nonconformance.

D. **Damaged nonconforming structures or improvements.**

1. Repairs, or reconstruction of damaged nonconforming structures or improvements are allowed. However, if the structures or improvements are damaged in excess of fifty (50) percent of current replacement cost, or removed by any means (including an act of God), the repair, replacement or reconstruction of the structure or improvement shall conform to this ordinance.

2. The most recent, pre-damage valuation of the structure or improvement and the extent of damage are based upon estimates of retail replacement costs, including labor and materials, as provided by qualified contractor(s) and/or qualified expert(s), as approved by the Zoning Administrator.

E. **Voluntary replacement of nonconforming improvements or expansion of similar improvements.**

1. Nonconforming improvements shall only be replaced, altered or modified in conformance with this ordinance.

2. When more than twenty-five (25) percent of an individual type of nonconforming improvement is replaced, altered, or modified, singularly or cumulatively above that existing at the time it became nonconforming, all nonconforming improvements of similar type on the site shall be brought into compliance with the development standards required by this ordinance to the maximum extent possible as determined by the Zoning Administrator.

F. The Zoning Administrator may waive part or all of the requirements of this Section if:

1. There are overriding archaeological or historic preservation regulations, requirements or findings;

2. Compliance would make the remaining improvements impractical for their intended use or operation; or

3. Compliance would cause expenses that are excessively disproportional to the cost of required repairs or replacements.

## *Section 1.1.7 Transition Provisions*

A. **Existing Uses and Buildings**. Uses and buildings lawfully existing on the effective date of this zoning ordinance may be continued subject to the provisions of this Article.

B. **Permits Issued Prior to Adoption or Amendment.** Nothing contained in this zoning ordinance or subsequent amendment thereto shall be construed to require any change in the plans, construction or intended use of any building or structure for which a permit was lawfully issued prior to the effective date of this zoning ordinance, provided that such construction is commenced prior to the expiration of such permit. In any case, where a permit expires or ceases to be valid, or where construction is abandoned for a period of twelve (12) months or greater, further construction and use shall conform to the applicable provisions of this zoning ordinance and as amended.

C. **Plans approved through Development Review.** Plans approved through the Development Review process prior to the effective date of this ordinance are considered approved for the application for a construction permit provided a complete application for a construction permit is submitted within two (2) years of the effective date of this ordinance, and vertical building construction commences within one (1) year of building permit issuance. All applications are subject to the uniform building and fire codes in effect at the time of application for a construction permit.

D. **Plans submitted for Development Review.** Complete Development Review applications received 30 (thirty) or more days before the effective date of this ordinance may choose to have the plans governed by the provisions of SRO-467-2015 and SRO-478-2016 in their entirety subject to subsection C above or to have the plans governed by the provisions of this ordinance in its entirety. Development Review applications received after the effective date of this ordinance are subject to the provisions of this ordinance in its entirety.

# *Article 1.2 Administration*

## *Section 1.2.1 Purpose, Duties and Powers*

This Article sets forth the purposes, duties, organization and powers of the Community Council, Boards, Commissions, Panels, Committees, Officers and others as they relate to the responsibilities of administering and enforcing this Zoning Ordinance.

## *Section 1.2.2 Community Council*

A. Holds Community hearings, and approve, approve with conditions, or deny the following applications, requests and appeals:

1. Zoning Ordinance Text Amendments.
2. Zoning Map Amendments.
3. Conditional Use Permits.
4. Variances (Dimensional and Use).
5. Appeals.

B. Establish minimum and maximum penalties for violations.

C. Carries out other duties or powers related to land use as stated elsewhere in this Zoning Ordinance or under applicable federal or Community law.

## *Section 1.2.3 Land Management Board*

The Land Management Board, created in the SRP-MIC Code of Ordinances, holds Community hearings and makes recommendations to the Community Council regarding approval, approval with conditions, or denial of the following applications:

A. Zoning Ordinance Text Amendments at the request of the Community Council.

B. Zoning Map Amendments.

C. Conditional Use Permits.

D. Variances (Dimensional and Use).

## *Section 1.2.4 Development Review Committee*

A. **Creation.** The SRP-MIC Council may create a Development Review Committee to review and approve Development Review applications not eligible for the administrative process in Article 2.4. If the SRP-MIC Council elects not to create a Development Review Committee the duties to review and approve Development Review applications shall fall to the Zoning Administrator as authorized in Section 1.2.6.E and subject to Section 1.2.4.C.

B. **Purpose.** The purpose of the Development Review Committee is to review the qualitative and culturally relevant aspects of proposed development projects for consistency with the Community's design-related goals, policies and regulations as stated in the General Plan, Zoning Ordinance, SRP-MIC Design Standards and Policies, and other relevant regulatory or policy documents) and to encourage high quality development that reflects the Community's culture.

C. **Duties and Powers.**

1. Review, approve, approve with modifications and/or conditions, or deny Development Review applications.
2. Require site and/or infrastructure improvements as a condition of approval as necessary.
3. Advise departments, elected and appointed bodies on matters related to Community design.
4. Make recommendations to the Zoning Administrator and/or the Community Council for revisions and modifications to SRP-MIC Design Standards and Policies, development standards and/or related administrative procedures.
5. The Development Review Committee's focus is design quality; it has no authority to approve variances from development standards and its approval does not ensure compliance with ordinance requirements.

D. **Development Review Committee Scope and Purview**.

1. Cultural response and sensitivity.
2. Master Plans and Site Plans.
3. Architecture and exterior building design.
4. Vehicle and pedestrian circulation.
5. Safety.
6. Landscape and hardscape improvements.
7. Contextual relationships.
8. Design response to the desert environment.
9. Exterior lighting.
10. Sign plans and signs.
11. Grading and drainage.
12. Utilities.
13. Above ground infrastructure of significant scale such as bridges, water storage tanks, communication towers, and bus stop shelters as determined by the Zoning Administrator.
14. Public art visible from a street or adjacent property such as statuary, murals, posters, flags, super graphics and banners.
15. Design topics illustrated in the SRP-MIC Design Standards and Policies.
16. Site and master development plans for the preservation of views to designated sites and locations.
17. Design Standards and Policies

*The design aspects considered by the Development Review Committee and the Community's expectations of development are illustrated in the SRP-MIC Design Standards and Policies.*

*The Development Review Committee's focus is design quality. It does not review for compliance with development standards or regulations. Its approval does not ensure such compliance and it does not grant variances to ordinance requirements.*

E. **Organization.**

1. The Development Review Committee consists of seven (7) members who are appointed by and serve at the discretion of the CDD Director.
2. The composition of the Committee includes:
   a. Community members.
   b. Individuals who are knowledgeable about the community's culture and/or have a design or development trade background, such as a professional architect, engineer, or landscape architect.
3. Representatives from the various divisions/departments, whose role is to provide advice and knowledge to support the Development Review Committee, may participate in an advisory capacity in the Development Review Committee meeting. These may include, but are not limited to, persons with expertise in:
   a. The Community's culture.

b. The environment.

c. Design.

d. Building and construction.

e. Landscaping.

4. The Community Development Department Planning Services Division serves as staff for, and acts in an advisory capacity to the Development Review Committee.

F. **Meetings.** The Development Review Committee shall meet on an as-needed basis, as called by the CDD Director.

G. **Proceedings.** The CDD Director may create procedures and protocols for the Development Review Committee.

### *Section 1.2.5 Community Development Department (CDD) Director*

For the purposes of this Zoning Ordinance, the CDD Director is authorized to:

A. Administer, carry out and enforce the Zoning Ordinance.

B. Promulgate, issue, and enforce rules, policies, procedures, standards and guidelines needed or appropriate to implement and enforce this ordinance.

C. Determine and establish requirements for the application processes in this ordinance.

D. Make recommendations to the Land Management Board and Community Council on applications requiring Community Council approval.

E. Make recommendations to the Community Council regarding the content of this ordinance.

F. Waive specified provisions of this ordinance in times of emergency.

G. Approve, as specified in this ordinance, modification to plans and conditions of approval established by the Community Council.

H. Establish and appoint members of the Development Review Committee and other working groups related to the administration and maintenance of this ordinance except where otherwise vested in the Community Council.

I. Appoint a Zoning Administrator and Code Enforcement Officer(s) and act in their absence.

J. Interpret the meaning and intent of the General Plan.

K. Carry out other duties and powers specifically stated in this ordinance related to its administration, regulation, enforcement and processes.

### *Section 1.2.6 Zoning Administrator*

The position of Zoning Administrator is created by this ordinance. The Zoning Administrator has the duties and powers to administer this ordinance that are listed in this Section and as otherwise described in this ordinance.

A. Determine whether a development proposal is consistent with the General Plan goals, policies and land use map.

B. Interpret the meaning and intent of the Zoning Ordinance and of any overlay district established in this ordinance.

C. Determine the appropriate review and approval process for land use and development applications, the adequacy of information provided with applications, and require additional information needed for adequate review of proposed projects.

D. Determine the appropriate zoning district, specific use standards and required approval process for any land use not listed in the Land Use Table 4.1 in Chapter 4 in this ordinance.

E. Review and approve, approve with conditions, or deny applications eligible for the administrative review process, including, but not limited to:

1. Development Review applications.
2. Permit applications for signs and applications for comprehensive sign plans.
3. Use Review applications.
4. Construction plans in the plan review and construction permit process for conformance with this ordinance, prior approvals and conditions of approval.
5. Modifications to conditions of approval related to approved development plans and comprehensive sign plans.
6. Modifications to planned development districts as described in this ordinance.
7. Variances to dimensional standards or deviations from development standards as specifically permitted in this ordinance.
8. Special Use Permits (SUP).

F. Require, as part of an application approval, agreements or exactions as necessary for efficient and coordinated development, and/or additional requirements such as infrastructure improvements, dedicated easements for supporting infrastructure, roads and cross access.

### *Section 1.2.7 Code Enforcement Officer*

The position of Code Enforcement Officer is created by this ordinance for the purpose of enforcing this ordinance and any conditions of an approved permit or application, and has the duties and powers listed below:

A. Enter and inspect properties for compliance with this ordinance.

B. Notify responsible persons when a violation exists through notices of violation and the establishment of reasonable timeframes for remedying such violations.

C. Confirm satisfactory implementation of the required remedies.

D. Issue citations imposing penalties for violations that are not remedied in the timeframe provided in the related notice of violation.

E. Other duties as established by this ordinance or as delegated by the CDD Director related to regulation and enforcement of this ordinance.

### *Section 1.2.8 Enforcement, Violations and Penalties*

A. **Violations.** It is a civil violation for any person to violate any the provisions of this ordinance including but not limited to:

1. Construct, erect, install, alter, change, maintain, or use of any dwelling, building, structure, sign, outdoor lighting, landscape area, parking lot, or open space, or to use or permit the use of any land contrary to this Zoning Ordinance.
2. Fail to comply with approved plans, stipulations and conditions of approval imposed at the time of approval of any zoning permit or application.
3. Interfere with or attempt to prevent the enforcement of this ordinance, or violate or fail to comply with any provision of this ordinance, any rule, regulation, order, directive, certificate, license or permit issued pursuant to this ordinance.

B. **Enforcement.** The Code Enforcement Officer shall enforce this Zoning Ordinance.

1. Upon finding that a violation of this ordinance exists, the Code Enforcement Officer will carry out the duties of enforcing the Zoning Ordinance as described below:

a. Notice of Violation.

1). A notice of violation shall be served upon the responsible person by hand-delivery or certified mail to the person's last known address, or by personal service upon the person. Notice is deemed served upon delivery of certified mail or personal service; or five (5) calendar days after mailing.

2). The notice shall:

a). Identify the location of the violation.

b). Identify the Section(s) of the Zoning Ordinance violated and any action required to remedy the violation.

c). State a reasonable date and time to resolve all violations and to complete required remedial actions, taking into account relevant information, conditions, and concerns related to the violation.

d). Provide contact information for the Code Enforcement Officer.

e). State that if the violation is not remedied within the time period stated in the notice that the person will be fined for each day the violation persists and that, if the fine is not paid or the violation remedied, the person may be charged with a civil offense.

f). State the minimum and maximum penalties that can be levied for each day the violation continues beyond the time permitted for remedial actions.

g). Require the responsible person to immediately notify the Code Enforcement Officer when the violation has been completely remedied.

b. No remediation shall be deemed complete until verified by the Code Enforcement Officer.

c. The Code Enforcement Officer is authorized to grant extensions of the date and time for any remediation required pursuant to this Section upon good cause shown. Any extension issued pursuant to this subsection must be made in writing and served upon the cited person in the same manner as a Notice of Violation.

C. **Citation.** If the violation is not remedied or otherwise resolved by the date and time stated in the notice of violation, or any extension thereof:

1. The Code Enforcement Officer shall serve by certified mail addressed to the person liable at the last known address or in person, a citation on the responsible person. Service shall be as provided in subsection B of this Section. The citation shall:

a. Reference the notice of violation, the location of the violation and the Section(s) of the ordinance violated.

b. Assess a fine for the violation for each calendar day the violation has existed after the date the violation was to be remedied as stated in the notice of violation. The fine shall be based on the circumstances as determined by the CDD Director and shall not be less than the minimum nor more than the maximum penalty permitted per day.

c. Require the responsible person to cease any action, activity or business operation that is directly related to the citation upon receipt of the citation for such time as reasonably determined by the Code Enforcement Officer.

d. Be issued regardless of whether or not an appeal has been filed of the Notice of Violation, if the violation exists after the date the violation was to be remedied.

2. Additional citations may be issued levying additional fines for each day the violation exists beyond the date of any previously-issued citation.

D. **Appeals.** The recipient of a notice of violation or citation may appeal the notice or citation as follows:

1. An appeal shall be made, in writing, within ten (10) business days after service of the notice of violation or citation specifically stating the reasons for the appeal to the SRP-MIC Council and requesting a meeting to discuss the issues.

2. Within thirty (30) calendar days of receiving an appeal, the Community Council shall schedule and hold a meeting to discuss the appeal and make a final determination on the appeal.

3. Upon completion of the appeal meeting, the Community Council's decision shall be final.
4. Filing of an appeal does not suspend the calendar days counted during which the violation exists.
    a. Fines shall accrue until the violation is remedied, or security acceptable to the Community is posted.
    b. If the violation is remedied during the appeal process, the person liable shall notify the Code Enforcement Officer. The Code Enforcement Officer shall verify acceptable completion of the remedy. The person liable shall be responsible for any fines accrued.

E. **Payment.**

1. The person cited shall deliver or mail the citation with full payment to the SRP-MIC, as indicated on the citation, to the SRP-MIC government Finance Department.
2. Payment must be delivered or received by mail by the SRP-MIC government Finance Department within ten (10) calendar days after service of the citation.
3. If the fine is not paid, and/or the violation is not remedied, the matter may be referred to the Community's Office of General Council for judicial enforcement in Community Court.

F. **Judicial enforcement.**

1. The Community Court shall have jurisdiction over all causes of action alleging or enforcing violations of the Zoning Ordinance.
2. Any person who violates any provision of the Zoning Ordinance shall be guilty of a civil offense and shall be subject to a civil fine of not less than one hundred dollars ($100.00) and not more than five thousand dollars ($5,000.00) per violation, in addition to any other legal remedies that may be available by law.
3. Any person who fails to procure any permit required by the Zoning Ordinance or who fails to abide by the terms of any such permit shall be guilty of a civil offense and upon conviction shall be subject to a civil fine not exceeding five thousand dollars ($5,000.00) per violation in addition to other legal remedies as may be available by law.
4. Recovery of costs: In addition to any fine(s) imposed, the Community may recover any costs incurred by the Community in order to enforce any provision of this ordinance or to remedy any violation of this ordinance.
5. Civil action processes do not suspend the calendar days counted during which the violation exists.
    a. Fines shall accrue until the violation is remedied, including during the pending of any civil action.
    b. If the violation is remedied during the civil action process, the Code Enforcement Officer shall verify acceptable completion of the remedy and the date such remedy was completed.
    c. Completion of a remedy may not dismiss any fines due or obligation to reimburse the Community for enforcement costs.
6. The Community reserves the right to initiate civil remedies at any time.

G. **Abatement.** When any violation of this ordinance constitutes an immediate danger to the public health, safety or general welfare of the Community, Community officials may take such actions as they deem necessary to remove the danger from the property. The Community shall be entitled to recover all reasonable costs from the responsible person(s) related to any abatement action.

H **Future approvals or permits.** Payment of all outstanding fines and penalties shall be required prior to the issuance of any approvals or permits to a premises, person or business required by this ordinance or by the building code against which there exists an outstanding fine or penalty.

# *Chapter 2* Application, Review and Approval Processes

The purpose of this Chapter is to establish the required application, review and approval processes and procedures related to this ordinance. The timeframes provided for the various processes are approximate and actual processing times may vary from those stated.

## *Article 2.1 Application for Development*

### *Section 2.1.1 Application Approval Required*

A. No use shall be established, operated or changed; no structure shall be built, expanded, or remodeled; and no site improvements shall be made or modified upon land in any zoning district except in conformance with this ordinance and with prior approval through the applicable application and approval process in this Chapter.

B. Applications submitted for General Plan amendment, Rezoning, Conditional Use Permit, Dimensional Variance, Use Variance or D Review require signature approval of the individuals or master lessee in control of the subject property through land ownership or business lease, or may be initiated by the Community Council, Community Manager, CDD Director or Land Management Board.

   1. Applications filed by or on behalf of subject property landowners require written consent from the owners of the majority interest in each allotment included in the application.

### *Section 2.1.2 Application Withdrawal*

A. An applicant may withdraw an application at any time by providing a written request to the CDD Director or Zoning Administrator. Application fees will not be refunded.

B. An application in the review process that requires an action by the applicant that has not been completed or is inactive for a period of one year shall be considered withdrawn and a new application and application fee are required to reinitiate the application and review process.

### *Section 2.1.3 Reapplying*

A. The holder of an expired permit/approval may reapply for a new permit/approval at any time as an entirely new complete application.

B. If an application is denied by Council, an application that is substantially the same project or request may not be re-submitted for a period of one (1) year from the date the initial application was denied.

### *Section 2.1.4 Failure to fulfill previous conditions or comply with ordinance.*

The decision-making body may require a subject property and improvements thereon to be in compliance with conditions or requirements of previous approvals and with the provisions of this ordinance, prior to any review of or action on an application pertaining to the same subject property.

### *Section 2.1.5 Revocation, suspension or termination of permits/approvals*

Notwithstanding the enforcement provisions of this Ordinance, or any other authority by which an approval or permit issued by the SRP-MIC government through any process in this ordinance may be suspended, revoked or terminated by the official or decision-making body that granted the approval or permit as described below:

A. The CDD Director shall notify the approval or permit holder in writing of pending suspension, revocation, or termination of the approval or permit in person or by certified mail not less than seven (7) calendar days prior to the decision to revoke the approval or permit.

B. The notice shall state:

   1. The reason for the suspension, revocation, or termination.

2. Any actions that would stay the suspension, revocation, or termination and a date by which such action must be completed.
3. The date, time, and location that a meeting will be held to consider the suspension, revocation, or termination.

C. The approval or permit holder may request a meeting with the CDD Director to review the reasons for the suspension, revocation, or termination, to discuss options, and may enter into a settlement agreement.

D. The meeting to suspend, revoke, or terminate the approval or permit shall be held by the same official or SRP-MIC government body that granted approval of the permit through the same process by which the approval or permit was granted.

E. The approval or permit holder may present at the meeting(s) any evidence why the approval or permit should not be suspended, revoked, or terminated.

F. The decision of the official or the SRP-MIC government body shall be final.

## *Article 2.2 Preliminary Application*

### *Section 2.2.1 Purpose*

The purpose of the preliminary application is to:

A. Provide the applicant an opportunity to present and familiarize Community staff with the details of the subject development or request.

B. Provide the applicant information about the current SRP-MIC government codes, regulations, processes, policies and guidelines pertinent to the application.

C. Provide the applicant information with applicable review and approval processes.

D. Provide the applicant preliminary written comments, based on review of the information provided, to assist the applicant in preparing the formal application.

### *Section 2.2.2 Applicability*

A. All land use and development proposals that require a permit, and/or that require approval by this Ordinance, require a preliminary application.

B. Single family homes and related structures are exempt from this process.

C. The Zoning Administrator may waive the preliminary application process requirement when the purpose of the review is otherwise satisfied.

### *Section 2.2.3 Process Initiation*

The applicant initiates the process by submitting a complete application(s) on the application forms provided by the Community Development Department or the Engineering and Construction Services Department in the format described in the application and accompanied by proof of payment of required fees.

### *Section 2.2.4 Preliminary Application Process*

A. After reviewing the information provided by the applicant, the staff and other SRP-MIC government reviewing divisions or departments will prepare comments on the information submitted as it relates to Community legal requirements, additional information or studies needed and other relevant information.

B. Staff will complete the review within approximately thirty (30) business days from the time of receipt of a complete preliminary application.

C. Preliminary Review Meeting: Staff will notify and meet with the applicant and/or the applicant's representatives upon completion of the review of the information submitted and will provide comments prepared by the staff and other departments and divisions and will answer questions about SRP-MIC government requirements and processes.

D. The preliminary review meeting concludes the preliminary review application.

E. The Zoning Administrator will determine the formal application and approval processes required with the preliminary review.

*Statements and representations of staff and the applicant during the preliminary application process are to be considered informal only and not conclusive or binding on either party.*

*The conclusion of the preliminary review does not preclude subsequent discussions between the staff and the applicant prior to the formal application.*

## Article 2.3 Formal Application

### Section 2.3.1 Submittal of a Complete Application

A. A complete application shall be submitted to initiate the formal application process.

B. A complete application:

1. Contains all required information on the application in the format described on the application.
2. Conforms to the zoning ordinance and other legal requirements of the Community.
3. Includes all additional information requested.
4. Is accompanied by complete applications for any additional requested or known required permits or known variances.
5. Includes proof of payment of required fees.

C. When a proposal requires more than one type of application, such as zoning amendment, variance and/or conditional use permit, the Zoning Administrator may require that all the applications be submitted together and processed concurrently.

### Section 2.3.2 Formal Review

A. After receiving a complete formal application, staff will review the information provided and prepare written comments identifying any issues related to development proposal and additional information or studies submitted.

B. The staff may require the applicant to submit modifications, corrections, clarifying documents or additional information as part of the formal review process, including third-party studies prepared by professionals qualified to address all or portions of an application, to supplement information provided by the applicant.

C. The CDD Director may obtain third-party review and consultation of all or portions of an application to supplement staff review. The third-party review shall be funded by the applicant and prepared by qualified professionals in the fields of planning, engineering, economics, or as deemed appropriate to the circumstances of the application. The third party selection is determined by mutual consent of the applicant and the CDD Director.

D. Staff will complete the formal review and will notify the applicant within approximately thirty (30) business days from the date of receipt of a complete formal application. Subsequent reviews, if required, will be completed by the staff in approximately fifteen (15) business days from the date of receipt. Review timeframes are approximate and may be extended depending on the complexity of the project.

It is the responsibility of the applicant to follow-up and respond in a timely manner to staff comments. A slow applicant response time or inadequate response to staff comments will delay the application process.

E. The applicant will be notified and provided any comments upon completion of the review.

# Article 2.4 Administrative Approval Processes

## Section 2.4.1 Eligibility

A. Applications that may be eligible for administrative approval as determined by the Zoning Administrator include:

1. Applications requiring Development Review per Article 2.13.
2. Dimensional variances that represent a fifteen (15) percent or smaller variation from a development standard.
3. Dimensional variances that represent a thirty (30) percent or smaller variation from a district or development standard for Community services and support housing uses in the AR and AP zoning districts.
4. Deviations from a development standard as permitted in Article 2.12.
5. Use Reviews in the MB and LI zoning districts, in accordance with Article 2.13 in lieu of Section 2.4.3.

**Administrative Approval**

1. Preliminary Review and determination of eligibility
2. Formal Application and CDD Review
3. Zoning Administrator's Decision

Larger dimensional and all non-dimensional variance applications require Community Council approval through the Community hearing process.

## Section 2.4.2 Application and Review

Applications eligible for administrative approval shall be considered by the Zoning Administrator and staff of applicable SRP-MIC government departments after the preliminary application and formal application processes described in Articles 2.2 and 2.3.

## Section 2.4.3 Decision

A. The Zoning Administrator may approve, approve with conditions or deny the application, providing notice of the administrative decision in writing to the applicant within ten (10) business days. Review timeframes are approximate and may be extended depending on the complexity of the project.

B. The decision is based upon the same findings, criteria, considerations and applicable regulations that would be applied to the same type of application not eligible for Administrative Review.

C. The Zoning Administrator may require the applicant to submit plans or documents reflecting any conditions of approval before submittal of applications for building or other permits.

# Article 2.5 Community Council Approval Process

Applications requiring approval by the Community Council shall be determined after the preliminary application and formal application review processes described in Articles 2.2 and 2.3 and the Community hearing process by the Land Management Board and Community Council as described in this Article.

**Community Council Approval**

1. Preliminary Review
2. Formal Application and Review
3. Public Notice
4. Land Management Board Public Hearing
5. Public Notice
6. Community Council Public Hearing
7. Council Decision

## Section 2.5.1 Community Hearing Notification

A. Community notice as described in this section shall precede Community hearings by the Land Management Board and Community Council. Community hearing notices shall contain:

1. The name of the applicant or owner.
2. A description of the subject property location.
3. A description of the proposed request.
4. The designation of the hearing body.

5. The time, date and place of the hearing.
6. Applicant and Community staffs contact information.

B. Notification Delivery (minimum requirements). Notice of the hearing mailed or delivered in person at least seven (7) calendar days prior to the date of the initial hearing to:

1. The applicant.
2. The landowners and all authorized spokespersons of the allottee landowners of the land that is the subject of the application.
3. The allottee landowners of record of land within one-half (1/2) mile radius of the site that is the subject of the application or the authorized spokesperson for such landowners.

C. The CDD Director shall be responsible for providing notification of the Land Management Board hearing.

D. When multiple applications are under review for the same project, the Community may combine the Community notice for the various applications.

E. Notice in addition those listed in this Section may be provided at the discretion of the CDD Director.

F. The Community Council, Land Management Board, Development Review Committee or the CDD Director may require additional Community input through neighborhood or district meetings prior to acting on the application. The applicant will be notified prior to the date of the neighborhood meeting.

G. When more than six (6) months have passed since the most recent hearing, Community notification shall be provided before any new Community hearing.

### *Section 2.5.2 Land Management Board (LMB) Community Hearing*

A. Applications requiring Community Council approval shall be reviewed by the LMB at a Community hearing prior to the Community hearing by the Community Council, unless otherwise waived pursuant to Chapter 17 Sec.17-5, as may be amended.

B. Upon completion of the preliminary and formal application review processes, staff shall forward the application staff report and related submitted information to the LMB.

C. Within fifteen (15) calendar days from the time the application is transmitted to the LMB, the LMB shall set a Community hearing and within thirty (30) calendar days shall hold a Community hearing at which the applicant shall present the proposal and address any questions.

D. Questions and comments related to the application may be made in person or in writing to the LMB.

E. At the Community hearing the LMB may continue the application to a future date to review or obtain additional information.

F. The LMB shall consider the same findings to be considered by the Community Council applicable to the application.

G. Within thirty (30) calendar day after the conclusion of the Community hearing, the LMB shall make its recommendation to approve, approve with conditions or revisions, or deny the application, and forward a statement of its recommendations to the CDD Director, the Community Council, and the applicant.

### *Section 2.5.3 Community Council Community Hearing*

A. Within twenty (20) business days after the receipt by the Community Council of the report of the LMB, the application shall be placed on an available date of a regular Community Council agenda for a Community hearing, allowing adequate time for preparation of required documents, legal review and Community notice.

B. The Community Council may, at its discretion, approve, approve with conditions or revisions, or deny the application, or may continue the application to a future date or set a meeting date at which it will make its decision.

C. **Notice of Decision.**

1. The Community Development Department will provide written notice of its decision to the applicant within ten (10) business days after the decision.
2. The notice of decision shall contain a brief summary of the decision and any conditions of approval.

D. Decisions of the Community Council are final.

**General Plan Amendment**

1. Preliminary Review
2. Formal Application and Review
3. Community Notice
4. Land Management Board Community Hearing
5. Community Notice
6. Community Council Community Hearing
7. Council Decision

## *Article 2.6 General Plan Amendments*

A. Community Council may adopt and make amendments to the Community's General Plan.

### *Section 2.6.1 Review Process*

A. Applications for General Plan amendments shall follow the application processes described in Articles 2.1, 2.2, 2.3 and 2.5.

B. In reviewing and approving General Plan amendments, the Community Council may consider, among other factors:

1. Consistency with the policies and goals of the Community.
2. Orderly timing of development.
3. Compatibility with the neighboring areas.
4. Impact on the Community resources.
5. Alternative uses for the site.

## *Article 2.7 Zoning Map Amendments (Rezoning)*

The Official Zoning Map may be amended from time to time to meet the needs of the Community through the adoption of an ordinance by the Community Council.

**Zoning Map Amendment**

1. Preliminary Review
2. Formal Application and Review
3. Community Notice
4. Land Management Board Community Hearing
5. Community Notice
6. Community Council Community Hearing
7. Council Decision

### *Section 2.7.1 Review Process*

Applications to amend the Zoning Map, including Planned Development Overlay rezonings, are processed following the preliminary application and formal application processes described in Articles 2.2, 2.3 and 2.5.

### *Section 2.7.2 Effect of Zoning Map Amendment*

A. A zoning map amendment changes the zoning designation of a property, includes or excludes a property from an overlay district, or establishes a planned development district.

B. Uses and improvements within the affected area that do not conform to the permitted uses or applicable development standards become legal nonconforming.

C. Existing illegal nonconforming development within the affected area remains illegal unless specifically addressed by the amendment.

## Article 2.8 Zoning Ordinance Text Amendments

A. Community Council, may amend, supplement, modify or repeal provisions of the Zoning Ordinance text (referred to herein as a "text amendment") pursuant to applicable SRP-MIC government ordinance adoption policy.

B. Applications for text amendments shall follow the application processes described in Articles 2.1, 2.2, 2.3 and 2.5.

### Section 2.8.1 Review Process

Text amendments to this Zoning Ordinance are processed in the same manner as amendments to the Community Code of Ordinances.

In reviewing and approving text amendments, the Community Council may consider, among other factors:

- The best interest, health, convenience, safety and general welfare of the Community.
- The purpose and intent of this ordinance as a whole and of the specific portion being amended.
- Consistency with the policies and goals of the General Plan or the Code of Ordinances.
- General benefits afforded to the Community.
- A change in facts since the ordinance was adopted, mistakes or oversights.
- Changes in technology that have occurred since the adoption of the ordinance.
- Changes in the character of an area or to changes in the public interest.
- Providing a Community need not anticipated or that has become apparent.
- Increasing the compatibility of adjacent land uses.
- Encouraging or facilitating a different type of development deemed appropriate for an area.
- Managing growth, either to stimulate or reduce growth in areas as appropriate to the Community's needs and goals.
- Justifications for or against the proposed amendment presented by the applicant, proponents or dissenters.

## Article 2.9 Conditional Use Permits

**Conditional Use Permit**

1. Preliminary Review
2. Formal Application and Review
3. Community Notice
4. Land Management Board Community Hearing
5. Community Notice
6. Community Council Community Hearing
7. Council Decision

### Section 2.9.1 Applicability

This Article applies to uses and buildings that require a conditional use permit approved by the Community Council.

### Section 2.9.2 Review Process

A. Applications for a conditional use permit are made following the application processes described in Articles 2.1, 2.2, 2.3 and 2.5.

### Section 2.9.3 Findings

A. The Community Council may approve a conditional use permit if it finds that:

1. The use in the proposed location is not detrimental to the public health, safety or welfare of the Community and is compatible with the uses existing or planned in the immediate surrounding area.
2. The use in the proposed location is consistent with the goals and policies of the General Plan.

3. Adequate infrastructure to serve the use exists in the proposed location, or the applicant can demonstrate that adequate infrastructure will be provided or addressed by an acceptable means.

> Examples of infrastructure include adequate street capacity or traffic control, water and sewer lines, and public safety service.
>
> Examples of detriment include elevated risk for hazard, nuisance or damage by explosion, fire, smoke, dust, odor, contamination, or vibration.
>
> Examples of compatibility considerations include scale, architecture, intensity, sound levels, volume and character of traffic, appearance, lighting levels, hours of operation and potential adverse impacts.

B. The applicant has the burden of proving the findings in sub-section A above.

### *Section 2.9.4 Conditions of Approval*

A. A conditional use permit is subject to specific conditions the Community Council may establish to carry out the provisions and intent of this Zoning Ordinance and to ensure compatibility with adjacent land uses.

B. Requests to modify conditions of approval shall be processed per Article 2.5.

> Uses that require a conditional use permit may not be appropriate in all locations within the applicable zoning district and may require more detailed consideration.
> Examples of conditions of approval include:
> - Requiring development improvements in excess of the minimums such as screening or buffering.
> - Modifying site configurations such as building setbacks, location of parking, buildings, service areas, outdoor activity areas, vehicle circulation and access points, and architecture.
> - Limiting building height, size or scale.
> - Reducing the height and/or intensity of lighting or the size or type of signage.
> - Limiting the hours, days, and/or manner of operation.
> - Conditional Use Permits are valid only for the subject use and location.

### *Section 2.9.5 Expiration*

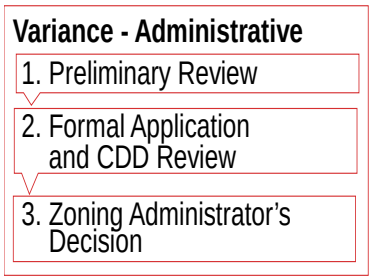
Conditional Use Permits granted by the Community Council shall expire if the use is not commenced within seven (7) years of such Council action or within a time period otherwise stipulated by the Council.

## *Article 2.10 Dimensional Variances*

### *Section 2.10.1 Applicability*

A. All development that varies from the dimensional standards of this ordinance requires prior approval through the processes described in this Article, except as specifically provided elsewhere in this ordinance.

B. Applications for a dimensional variance are made following the application processes described in Articles 2.1, 2.2, 2.3 and 2.5.



## *Section 2.10.2 Review Process*

A. Dimensional variances from the standards of this ordinance that are eligible for administrative approval in accordance with Section 2.4.1 and may be approved by the Zoning Administrator per Article 2.4.

B. Dimensional variances from the standards of this ordinance not eligible for administrative approval require approval by the Community Council through the application processes described in Articles 2.2, 2.3 and 2.5.

**Variance - Council Approval**

1. Preliminary Review
2. Formal Application and Review
3. Community Notice
4. Land Management Board Community Hearing
5. Community Notice
5. Community Council Community Hearing
6. Council Decision

## *Section 2.10.3 Findings*

A. A dimensional variance may be permitted upon the approving authority's finding:

1. There are exceptional or extraordinary circumstances or conditions unique to the property involved or to the intended use of the property.
2. Such variance is necessary for the preservation and enjoyment of a substantial property right of the applicant, which right is possessed by other property owners under like conditions in the same zoning district and is the minimum required to overcome unique circumstances or preservation of a property right.
3. The variance is not contrary to the goals or objectives of the Community's General Plan and the characteristics of the development are reasonably compatible with the surrounding area and not detrimental to the public welfare or injurious to the use or improvements of adjacent properties,
4. Adequate infrastructure to serve the use exists in the proposed location, or the applicant can demonstrate that adequate infrastructure will be provided or addressed by an acceptable means.

*Dimensional variances permit specific development on the subject property to vary from the applicable development standards to the extent specified in the approval.*

B. The applicant has the burden of proving the findings in subsection A above.

## *Section 2.10.4 Conditions of Approval*

A. A dimensional variance is related to a specific project and is subject to any conditions the Zoning Administrator or Community Council may establish to carry out the provisions and intent of this Zoning Ordinance and to ensure compatibility with adjacent land uses and may be subject to a specified use, time limit or occurrence of a specific condition.

B. Requests to modify conditions of approval shall be processed per Article 2.5.

## *Section 2.10.5 Expiration*

Dimensional Variances granted by the Community Council shall expire if the project is not built within seven (7) years of such Council action or within a period otherwise stipulated by the Council.

# Article 2.11 Use Variances

## Section 2.11.1 Applicability

A. A specific use that is not listed as allowed, allowed with conditions, or allowed with a conditional use permit in a particular zoning district may be allowed through a use variance. The purpose of a use variance is to address a specific type of use at one specific location. It is not a substitute for rezoning.

B. Application for a use variance require applicable consents from landowners of the subject property in accordance with Section 2.1.1.B. of this Ordinance.

**Use Variance**

1. Preliminary Review
2. Formal Application and Review
3. Community Notice
4. Land Management Board Community Hearing
5. Community Notice
6. Community Council Community Hearing
7. Council Decision

## Section 2.11.2 Review Process

A. Use Variances are approved by the Community Council following the processes described in Articles 2.1, 2.2, 2.3 and 2.5.

B. Additional Notification. In addition to the Community notice requirements in Section 2.5.1 notification of the hearing will include:

1. Within C-2, C-3, MB, LI, or NR zoning districts, adjacent master lease holders within three-hundred (300) feet of the parcel where the use variance will be located.
2. Within AR, C-1 or OS zoning districts home site and business owners within one-half (½) mile of the parcel where the use variance will be located.

- *A Use Variance permits development of a particular use that is otherwise not allowed, allowed with conditions or with a Conditional Use Permit, to occur on the subject property in conformance with any related plans, conditions of approval, regulations of the zoning district, applicable overlay districts, and applicable development standards.*
- *A Use Variance does not otherwise rezone the property.*
- *The granting of a use variance within any zoning district does not change the list of land uses permitted in that district and does not apply to any other location.*

*Applicants for a use variance must address any adverse impacts the use may have on the surrounding area, such as:*

- *Nuisance arising from noise, smoke, odor, dust, vibration, light trespass, glare or electromagnetic static.*
- *Hazards to persons and property from possible explosion, contamination or fire.*
- *Volume, type or character of traffic unusual for the area.*

## Section 2.11.3 Findings

A. A Use Variance may be permitted upon the Community Council finding:

1. The proposed use is not detrimental to the public health, safety or welfare of surrounding areas or injurious to the existing or future allowable uses or improvements of adjacent properties in the zoning district, and any adverse impacts of the proposed use on surrounding properties will be adequately mitigated in a way that will not require a burdensome or extraordinary level of enforcement or monitoring.
2. The characteristics of the proposed use, its scale, intensity, architecture, appearance and hours of operation are compatible with the uses existing or permitted in the surrounding area and the Community would derive greater benefit from the use in the proposed location than it would if the use were located in an existing zoning district in which it is allowed.
3. Adequate infrastructure to serve the use exists in the proposed location, or the applicant can demonstrate that adequate infrastructure will be provided or addressed by an acceptable means.

B. The applicant has the burden of proving the findings in subsection A above.

### *Section 2.11.4 Conditions of Approval*

A. A use variance is valid and operable only for the specific use as granted and is subject to any conditions deemed necessary to ensure that the findings and any other concerns related to the proposal are satisfactorily addressed.

B. Requests to modify conditions of approval shall be processed per Article 2.5. A use variance is not transferable to another property but is transferable to subsequent users unless otherwise limited by a condition of approval.

### *Section 2.11.5 Expiration*

A. Use Variances granted by the Community Council expire if the use is not commenced within three (3) years of such Council action or within a time period otherwise stipulated by the Council.

B. A use variance expires if the use granted is abandoned or discontinued for a period of one (1) years.

## *Article 2.12 Deviation from site improvement standards*

The purpose of this Article is to provide flexibility in how the intent of the development standards are met, to accommodate temporary uses, or to reduce unnecessary hardships or address practical difficulties for non-profit, religious or other Community organizations whose primary purpose is to provide services to Community members.

**Deviation from Standards**

1. Formal Application and CDD Review
2. Zoning Administrator's Decision

### *Section 2.12.1 Applicability*

Deviation from the minimum standards required for site improvements in Chapter 6 of this Ordinance may be permitted for uses in the AR Agricultural/Residential, OS Open Space, and AP Administrative/Public zoning districts.

*Examples of allowable deviations include:*

- *Variation from the minimum size (not the number) of plant materials.*
- *Use of alternative road or parking area surfacing materials.*

### *Section 2.12.2 Review Process*

A. Requests for deviation(s) are handled through the administrative approval process in Article 2.4.

B. Alternatively, a variance application may be processed through Articles 2.5 and 2.10.

### *Section 2.12.3 Findings*

Deviations from minimum standards for site improvements may be approved upon the Zoning Administrator finding:

A. The deviation does not involve a variance to zoning district development standards in Chapter 3, such as building height, building setback, floor area ratio, and other dimensional standards of particular zoning districts.

B. The proposed deviation will meet the general intent and purpose of the subject standard.

C. The deviation will not:

1. Be detrimental to the public welfare or have adverse impacts on adjacent properties.
2. Significantly alter the character of the surrounding area or neighborhood.
3. Create a nuisance or an unsafe or unhealthy condition.
4. Have long term negative visual impacts from streets and adjacent properties.

D. The deviation is not contrary to the intent and purpose of this Zoning Ordinance in general or to the purpose, intent and character of the applicable zoning district or any applicable overlay district.

### *Section 2.12.4 Conditions of Approval*

A. Approval of a deviation may include conditions of approval deemed necessary to ensure compatibility with existing or permitted uses on the site or on adjacent sites. Such conditions may exceed the minimum standards required by this ordinance and may include a time frame, expiration date, or situation that will trigger expiration of the approval.

B. Approved deviations apply only to the specific application and do not apply to any expansion or intensification of the use or improvements, or to future uses, improvements, or phases of development.

### *Section 2.12.5 Expiration/Termination of Approval*

A. The Zoning Administrator may terminate approval of a deviation from an improvement standard per Section 2.1.5 if:

1. The subject development does not meet the conditions of approval described in Section 2.12.4.
2. The character of the land use changes from that existing or proposed at the time the deviation was approved.
3. The deviation is found to impose an additional enforcement burden upon the Community due to incompatibility or other issues related to the deviation.

B. Upon expiration or termination of approval, all required improvements shall be brought into compliance with the applicable development standards or as indicted in any notice of termination.

## *Article 2.13 Use Review*

### *Section 2.13.1 Applicability*

A. An application for a Use Review is required for uses identified in Chapter 4, Table 4.1 with the symbol “UR”.

### *Section 2.13.2 Review Process*

A. Applications for a Use Review follow the review process decribed in this Section.

B. Uses designated “UR*” in Table 4.1 are eligible for administrative review to determine whether the use is allowed, allowed with conditions, or allowed with approval of a Conditional Use Permit described in Article 2.8.

C. Applications for Use Review require the operator/owner to provide land use and operational information including, but not limited to:

1. The nature of the business
2. Typical activities and operational Information
3. Use, handling, storage and use of materials and chemicals
4. Noise, odor, dust, or vibration causing activities
5. Outdoor storage and activities
6. Type and quantity of vehicular trips
7. Interior building floor plan

D. The applicant may elect to submit an application for Conditional Use Permit in lieu of a Use Review.

### *Section 2.13.3 Findings*

A. The Zoning Administrator may approve a Use Review if it finds that:

1. The use in the proposed location is not detrimental to the public health, safety or welfare of the Community and is compatible with the uses existing or planned in the immediate surrounding area.
2. The use in the proposed location is consistent with the goals and policies of the General Plan.
3. Adequate infrastructure to serve the use exists in the proposed location, or the applicant can demonstrate that adequate infrastructure will be provided or addressed by an acceptable means

### *Section 2.13.4 Conditions of Approval*

A. A Use Review is subject to specific conditions the Zoning Administrator may establish to carry out the provisions and intent of the Zoning Ordinance, to protect the Community's environment, and to ensure compatibility with adjacent land uses.

B. The Zoning Administrator may require the applicant to submit plans or documents reflecting any conditions of approval before submittal of applications for building or other permits.

C. An approved use may not be modified, changed, altered or increased in intensity or character unless specifically approved by the Zoning Administrator or by approval of a Conditional Use Permit.

## *Article 2.14 Development Review*

*The design elements considered by the Development Review are illustrated in the SRP-MIC Design Standards and Policies. The design guidelines do not take precedence over the zoning ordinance or other ordinance provisions.*

### *Section 2.14.1 Applicability*

A. Development Review approval is required for non-residential and multifamily development.

B. Individual single-family dwellings and their related accessory structures or site improvements for Community members are exempt from Development Review except when model homes are proposed within a development project.

### *Section 2.14.2 Application Process*

A. Applications may be submitted by the person in control of the property or an authorized representative.

B. Applications will follow the application processes described in Articles 2.2 and 2.3.

C. The Zoning Administrator shall determine whether an application shall be approved administratively or through the Development Review Committee.

D. Development Review decisions are subject to Section 2.13.6 thru 2.13.8.

### *Section 2.14.3 Determination of Administrative Approval Eligibility*

A. The Zoning Administrator shall determine eligibility for administrative approval. Criteria for determining eligibility for approval administratively include:

1. Whether the application is for reasonable modifications to approved development plans.
   a. Modifications to conditions of an administrative or Development Review Committee approval that do not change the basic intent of the original approval and do not substantially change the character or impacts of the development.
2. Scale of development.
3. Impact on the Community character.
4. Compatibility with surrounding development.
5. Conformance with Community Design Standards and Policies, and General Plan.

B. Applications approved for administrative approval are processed in accordance with Article 2.4 and consider the elements found in Section 2.13.4.B. and 2.13.5.

C. Applications not eligible for administrative approval are processed through the Development Review Committee (DRC) process described in Sections 2.13.4 thru 2.13.5.

### *Section 2.14.4 Development Review Committee Process and Scope*

A. Following the application processes described in Articles 2.2 and 2.3, a Development Review Committee will convene and review the application.

B. Development Review considers the following elements:

1. Cultural response and sensitivity.
2. Master Plans and Site Plans.
3. Architecture and exterior building design.
4. Vehicle and pedestrian circulation.
5. Safety.
6. Landscape and hardscape improvements.
7. Contextual relationships.
8. Design response to the desert environment.
9. Exterior lighting.
10. Sign plans and signs.
11. Grading and drainage.
12. Utilities.
13. Above ground infrastructure of significant scale such as bridges, water storage tanks, communication towers, and bus stop shelters as determined by the Zoning Administrator.
14. Public art visible from a street or adjacent property such as statuary, murals, posters, flags, super graphics and banners.
15. Design topics illustrated in the SRP-MIC Design Standards and Policies.
16. Site and master development plans for the preservation of views to designated sites and locations.
17. Design Standards and Policies.

### *Section 2.14.5 Development Review Decision*

A. A Development Review decision may impose conditions to achieve the applicable goals and intent of the General Plan and zoning district, the applicable development standards and the effective application of the SRP-MIC Design Standards and Policies.

B. Decision:

1. The applicant will be notified of the Development Review decision within five (5) business days of the decision.
2. The Zoning Administrator may require the applicant to submit plans or documents reflecting conditions of approval before submittal of applications for building or other permits.
3. Approval of a Development Review application does not ensure compliance with zoning regulations and does not grant variances to ordinance requirements.

### *Section 2.14.6 Appeals*

Development Review decisions are final.

### *Section 2.14.7 Development Review approval expiration*

A. Development Review approval automatically expires if construction of the development is not commenced or an application for a foundation building permit is not submitted, whichever is applicable, within two (2) years after the date the approval is granted.

B. Development for which Development Review approval expires requires a complete new application and payment of related fees.

### *Section 2.14.8 Extension of approval*

A. The date of approval expiration may be extended up to one (1) additional year upon a written request prior to the expiration, subject to approval by and at the discretion of the Zoning Administrator.

B. **Time extension application process.**

1. Requests may be submitted in writing to the Zoning Administrator prior to the date of the approval expiration described in Section 2.13.7 above. The Zoning Administrator shall either grant or deny a time extension within ten (10) business days.
2. Expiration is effective unless an extension is approved prior to the expiration date. The act of filing a request for an extension does not delay expiration.

## *Article 2.15 Approval conditions and decisions*

### *Section 2.15.1 Decision making bodies or officials*

Decision-making bodies and officials authorized to approve applications in this ordinance:

A. Are authorized to impose conditions, including time limits, on any approval to implement the requirements of this ordinance, protect the Community or the public from potential adverse impacts from the proposed use or development, ensure compliance with required findings or fulfill an identified need for public services. These conditions shall be specifically listed as part of the approval.

B. Will consider as a requirement or condition any statement, approved plan, exhibit or other material provided by the applicant that is on record with the decision representing the proposed development, improvements or performance.

C. May approve, approve with conditions and/or modifications, deny, or continue consideration of an application to a future time to obtain additional information deemed pertinent to the decision.

D. May suspend or revoke a prior approval that they are authorized to grant by this ordinance per Section 2.1.5.

### *Section 2.15.2 Modify conditions / Extend expiration*

A. A request to modify or remove a condition of approval, or extend an expiration or termination date shall be made as a new application and shall be approved by the same decision-making body as the initial request was approved or the condition was imposed.

1. Council may waive the Community hearing process required in Article 2.5.

B. Development Review Applications shall follow the processes per Article 2.13.

## *Article 2.16 Transferability of permits / approvals*

A. Permits and approvals are transferable to successors in interest unless specifically prohibited elsewhere in this ordinance or transferability is limited as part of the approval.

B. Successors are subject to all standards, agreements and conditions that accompanied the approval.

C. Approvals that apply to a specific property are not transferrable to another property.

## Article 2.17 Required Analysis and Studies

All required studies, analysis and reports associated with applications processed through this ordinance shall be funded by the applicant, prepared by qualified professionals appropriate for the scope of application, and reasonably approved by the CDD Director.

## Article 2.18 Building Permits, Certificates of Occupancy, Certificates of Completion

### Section 2.18.1 Permits Required

A. It is unlawful to haul, transport, construct, install, alter, repair, trench, grade, remove, demolish or to commence the construction, installation, alteration, removal or demolition of a building or structure or improvement except in conformance with permits approved by the Building Official and as required by this ordinance and the applicable legal requirements of the SRP-MIC Government or of the Federal Government as amended.

**Building Permit Process**

1. Building Permit Application
2. CDD Review
3. ECS Review and Approval
4. Inspections by ECS / CDD
5. Certificate of Occupancy or Certificate of Completion

B. No construction shall begin or land graded or cleared until an environmental and cultural review is completed by the CDD/Environmental Protection and Natural Resources (EPNR) Division and the Cultural Resources Department.

### Section 2.18.2 Applications

All applications shall be in the format and contain the information required per application forms prepared by the Engineering Construction Services (ECS) Department and must provide all requested information. Applications shall be accompanied by proof of payment for requested permits.

A. **Conditions of approval.**

1. Building permits may only be issued for the construction of proposed improvements, buildings or structures that are found to comply with required Development Review approvals and any applicable conditions of approval, this ordinance and applicable codes.
2. All work performed under a permit or approval issued by the Community shall conform to the approved application, plans, conditions and specifications, including any amendments.

B. **Amendments to applications and plans.**

1. No plan may be altered or changed from the original approval without the prior written approval of the Community Official, Board, Committee, or Council authorized to grant the approval.
2. Approved amendments to an application after approval of a permit and before completion of the work for which the permit was granted shall be deemed a part of the original application.

### Section 2.18.3 Inspections

A. All improvements and uses must be inspected before the Community may issue a final certificate of occupancy, certificate of completion or final approval.

B. Community staff may enter any part of a building or site to perform inspections to verify compliance with the approved plans and conditions of approval.

C. All work performed under a permit issued by the Building Official shall conform to the approved application, plans, and specifications and approved amendments.

### *Section 2.18.4 Certificate of Occupancy or Certificate of Completion*

A. Users may not operate without, and are not entitled to, a certificate of occupancy or required approvals except in conformance with this ordinance, applicable building codes and conditions of approval and other legal requirements.

B. A Certificate of Occupancy or a Certificate of Completion shall only be issued if the Building Official finds that all improvements are provided in accordance with approved plans (including approved amendments) and any applicable conditions or stipulations and may withhold a final certificate of occupancy until as-build drawings are provided.

C. The Community may require at the time of issuance of a temporary certificate of occupancy or certificate of completion, an irrevocable line of credit in the Community's name from the applicant's bank for 110% of the cost of installing any required improvements that are not completed and accepted by the Community by a specified time. The line of credit may be used by the Community at their discretion, after the specified completion time, to complete the required improvements.

# *Chapter 3* Zoning Districts

## *Article 3.1 Establishment of Zoning Districts*

### *Section 3.1.1 Purpose*

The purpose of establishing individual zoning districts in specific locations within the Community is to implement the purposes of this Zoning Ordinance as stated in Section 1.1.2 by:

A. Grouping compatible, synergistic land uses in locations to best serve the Community.

B. Defining the intensity, scale, quality and character of development within specific districts and areas.

C. Ensuring land use will have timely provision of necessary infrastructure.

D. Preventing or mitigating negative impacts between adjacent land uses.

### *Section 3.1.2 Zoning Districts*

The following zoning districts are established:

AR Agricultural/Residential

C1 Village Commercial

C2 Community Commercial

C3 General Commercial

MB Mixed Business

LI Light Industrial

AP Administrative/Public Services

OS Open Space

NR Natural Resource

### *Section 3.1.3 Zoning Map*

A. The zoning district and overlay district boundaries (district boundaries) shown on the map, attached as Exhibit A, are designated as the “Official Zoning Map” of the SRP-MIC and are adopted with this Zoning Ordinance, including any amendments hereafter. The Official Zoning Map is referenced in this ordinance as the “Zoning Map.”

B. The Zoning Map represents the geographic areas of the Community where each zoning or overlay district applies.

C. The Zoning Map and any Zoning Map amendments shall be maintained by the Community Development Department (CDD).

D. CDD is responsible for administering Zoning Map amendments. The SRP-MIC is not responsible for legal description errors provided with Zoning Map amendment applications.

### *Section 3.1.4 Location of District Boundary Line*

A. District boundary lines typically follow existing property boundary lines such as allotments, partitions, lease boundaries, or the centerlines of street rights-of-way. The boundary lines may also follow a legal description, or a permanent physical land feature such as a canal or an elevation contour.

B. Where uncertainty exists about any district boundary the rules listed below apply. Where more than one rule applies, the first applicable rule prevails.

1. Where a district boundary line is located within, adjacent to and parallel to a street right-of-way or easement, the district boundary will coincide with the centerline of the street right-of-way or easement.
2. Where a district boundary approximately follows an allotment boundary or a legal description of a parcel, lease or development site, the district boundary line will coincide with those boundary lines.
3. Where a zoning district boundary is described by a specific dimension, the specific dimension or description controls.
4. Where the above rules do not clarify the district boundary location, the Zoning Administrator shall determine the boundary's location and document the basis used for that determination.

### *Section 3.1.5 Undesignated Areas*

If a property within the SRP-MIC territory does not have a zoning designation on the Zoning Map or any record of a zoning classification, it is automatically zoned Open Space (OS).

### *Section 3.1.6 Annexation*

The Community Council may assign a zoning designation to land annexed to the SRP-MIC government at the time of annexation. If no zoning designation is indicated upon annexation, the land annexed is automatically designated Open Space (OS) until the Community Council approves a different zoning designation.

## *Article 3.2 General Zoning District Regulations and Standards*

### *Section 3.2.1 Applicability*

A. This Article applies in all zoning districts to new and existing buildings and/or site improvements, additions, modifications or expansion of such buildings or site improvements, and to any building or land use changes. The development standards in this Section expand upon, or clarify, and shall be in addition to the standards in the individual zoning districts.

### *Section 3.2.2 Regulations and Standards*

A. **District Modification for Certain Uses.**

1. Agricultural and residential development located within zoning districts other than the AR district shall comply with the AR district and development standards rather than the standards of any other district in which they may be located.
2. Community services and government facilities provided for the SRP-MIC by or on behalf of the SRP-MIC located on land zoned other than AR or AP shall conform to the district and general development standards for the zoning district that they are within.

B. **Floor area ratio (FAR).**

1. Within a master planned development, the FAR permitted on individual sites within a contiguous zoning district may be higher or lower than the maximum FAR permitted in that district as long as the aggregate of all floor area does not exceed the total permitted FAR within the contiguous zoning district.

C. **Maximum building size.**

1. Attached buildings divided by or spanning property lines are considered one (1) building and the aggregate building square footage shall not exceed the maximum building size permitted in the applicable zoning district. If the building is within more than one zoning district, the smaller maximum building size requirement shall apply to the building.

D. **Maximum building height.**

1. The Zoning Administrator may approve, without a variance, exceptions to maximum height limits for building elements as described below:

a. Ornamental elements of nonresidential buildings, such as shading over roof decks, spires, roof domes, cupolas, belfries, clock towers, chimneys, cooling towers or vents and similar features if such elements are well incorporated into the building's architecture, are well proportioned to the building, are not excessive, and are not used in any way for commercial advertising or for occupancy.

b. Portions of roofs accommodating skylights or clearstory windows up to six (6) feet above the maximum building height.

c. Roof-mounted mechanical equipment necessary to the building's operation or maintenance, such as: HVAC systems; alternative energy equipment; antennae or communications equipment devices; mechanical penthouses for elevator shaft bulkheads or stairwells and accessories may exceed the maximum building height by the minimum dimension required for proper equipment function. This exception applies to required screening for these items.

d. Safety railings required by the building code, but not parapets.

2. Features and/or screening exceeding height limits shall be no larger in horizontal span or vertical height than necessary for its essential function and proper architectural proportion.

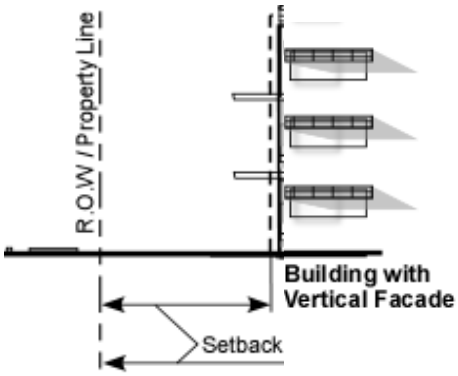
E. **Minimum building setbacks.**

1. The minimum building setback shall be the greater of the minimum required depth of building base area, building setback, or landscape setback. See Section 6.3.11 regarding building base area.

2. Awnings or shade structures that are unenclosed by sides may reasonably encroach into setbacks. When awnings or shade structures are used over outdoor decks, the encroachment shall not extend further than the edge of the floor area covered.

3. Building base area landscaping is permitted within building setbacks and landscape setbacks.

F. **Zero lot line construction**. Buildings may be constructed with a zero (0) foot setback from an abutting property's boundary line only if zero (0) foot setbacks and building code implications are addressed in a written agreement with the owner of the abutting property, which agreement shall be a cross access or use agreement, easement or other provision as applicable.




G. **Building separation.** Upper level walkways and decks, upper level architectural embellishments, building shade elements and roofs or shade structures connecting or spanning any distance between adjacent buildings may encroach into the minimum required separation between buildings subject to Development Review approval and building code requirements.

*Zero lot line agreements may address building setbacks, access for maintenance, the size of any attached building, or other applicable provisions related to conformance with this ordinance or the building code.*

H. **Accessory structures.** Accessory structures shall be identified on an approved site plan, comply with the zoning district requirements, and shall not be constructed prior to construction of the structure containing the principal use.

I. **Vending machines**. Vending machines, automated or self-service dispensers of merchandise, information or services, including, but not limited to, teller machines, soda or candy machines, and newspaper or magazine dispensers are permitted in conformance with the following:

1). Shall be located within building base areas, plaza, or enclosed areas. In the case of AP zoned sites, other locations are allowed subject to Zoning Administrator approval.

2). Shall be maintained in good operating condition, like-new appearance, free of graffiti, and restocked as necessary.

3). Where more than five (5) such machines are located within a tenant's area, administrative approval of a site plan showing the type and locations of proposed vending machines is required prior to installation. Machines may be required to be in an enclosed area or to be screened from view from streets and adjacent properties.

4). All vending machines shall comply with signage and illumination levels in Sections 6.8.6 B, 6.8.7 and 6.9.14 B.

5). Machines that are built into a building (e.g. teller machines) shall be compatible with the architectural design of the building, shall be under a covered area, and shall include security lighting that meets the lighting standards in Section 6.8.7.

6). All power sources shall meet applicable code requirements in effect at the time of installation.

7). Machines for vending propane and similar volatile materials shall meet all applicable building and fire codes.

J. **Noise levels.**

1. A noise level that exceeds the Community noise standards identified in Table 3.2.1 by five (5) decibels dBA or more is not permitted.
2. Sound levels are measured at the boundary of a site as described in Article 8.3.2 D.
3. If the boundary is between sites in different zoning districts with different noise standards, the lower noise standard applies at the boundary.
4. If the ambient noise level in a residential zone (excluding noise sources being investigated) is measured and found to be less than the Community noise standard in Table 3.2.1 between the hours of 10:00 p.m. and 7:00 a.m., then the actual ambient noise level will be the Community noise standard.
5. Non-emergency temporary activities of commercial or industrial uses that generate noise audible at the Agricultural/Low Density Residential land use area boundary, such as loading and unloading of equipment or materials, exterior maintenance of the site, refuse removal, parking lot vacuuming, etc., shall not occur between the hours of 10:00 p.m. and 7:00 a.m.

Table 3.2.1 Community Noise Standard

| Zoning District | Maximum dBA | |
|---|---|---|
| | 7:00 am – 10:00 pm | 10:00 pm – 7:00 am |
| AR | 55 | 45 |
| C1 | 65 | 55 |
| C2 | 65 | 55 |
| C3 | 65 | 65 |
| MB | 65 | 65 |
| LI | 70 | 65 |
| AP | 65 | 55 |
| OS | 55 | 45 |
| NR | 60 | 45 |
| NR Industrial Uses | 70 | 55 |
| dBA of the sound being measured is an instantaneous measurement. | | |

6. Construction and repair work are permitted to exceed the noise levels otherwise permitted between the hours of 7:00 a.m. and 7:00 p.m. by up to 10 dBA. This does not apply to short term infrequent occurrences but does apply to repetitive noises, including those caused by impacts.
7. Notwithstanding any other provision of this Article, and in addition to subsections 1 through 7 above:
   a. It is unlawful and a violation of this ordinance for any person without justification to make, cause or permit to be made any unnecessary, excessive or offensive noise that disturbs the peace or quiet of any neighborhood or business or that causes discomfort or annoyance to any reasonable person of normal sensitivity to noise.
   b. This Section may be enforced by SRP-MIC government police officers or other SRP-MIC government employees designated by the CDD Director.

c. A sound level meter may be used, but is not required, to assist in determining whether noise is unreasonable or not. Noise levels of any duration that exceed the Community noise standard by ten (10) percent are unreasonable.

8. The following noise is exempt from the provisions of this Section:

a. Non-amplified noise resulting from the activities of the patrons of a business, except when that noise is measured at the boundary of a home site within the AR zoning district within the Agricultural / Low Density Residential (A/LDR) land use area on the General Plan Land Use Map.

b. Noise created by a special event or activities operating in accordance with the conditions of approval or conditions of an approved conditional use or special use permit.

c. Noise from emergency work.

d. Noise of very short duration that occurs infrequently or rarely and not on a repeated basis.

e. Noise caused by customary agriculture operations.

K. **Vibration.** No use shall cause vibration that is perceptible to the human sense of touch at the boundary of the site occupied by the subject use.

L. **Odors.** Uses causing the emission of odors detectable by a human sense of smell shall implement provisions to minimize or eliminate the effect of odors on adjacent properties including, but not limited to, the measures listed below:

1. Exhaust vents shall be located as far from adjacent properties as practicable and shall terminate above the roofline and be directed up.

2. Noxious discernible odors shall be eliminated from the exhaust to the extent practicable with filters and/or other means in common use.

3. Waste materials shall be controlled in a manner such that no odors are discernible at the border of the site or of the individual use.

M. **Dust.**

1. Uses shall control the generation of dust and airborne debris in compliance with all applicable legal requirements.

2. Road and parking lot surfaces shall be maintained in a clean, dust free condition to minimize the creation of airborne dust.

N. **Smoke.**

1. Uses shall control the generation of smoke in compliance with all applicable legal requirements.

O. **Waste disposal.**

1. All waste materials shall be stored in containers with closable lids.

2. Operations shall be conducted in accordance with applicable legal requirements.

P. **Hazardous waste materials.**

1. Solid waste and hazardous waste shall be stored, managed, and disposed in accordance with legal requirements.

2. Operations shall be conducted in accordance with legal requirements applicable within the SRP-MIC, including any applicable permits. The SRP-MIC Fire Department or the CDD / Environmental Protection and Natural Resources (EPNR) Division may require, at any time, an on-site review and inspection of the hazardous materials used or stored on any site.

3. The type, quantity, use and storage methods for all hazardous materials shall be identified in applications for development review and building permits.

4. Any processes resulting in the creation of a hazardous material or hazardous waste will require approval by the SRP-MIC Fire Department or CDD / EPNR Division.

Q. **Swimming pools.** Residential swimming pools shall be located a minimum of three (3) feet from the side or rear property lines.

### *Section 3.2.3 Agriculture/Low Density Residential (A/LDR) land use transition area*

A. **Purpose.** This Section is to promote compatibility with existing or potential Community member residential uses within the Community.

B. **Applicability.** The regulations in this Section apply to nonresidential uses abutting sites zoned AR within the A/LDR land use area on the General Plan Land Use Map.

C. **Transition area.**

1. A transition area one hundred (100) feet in depth shall be maintained within all nonresidential zoning districts abutting or adjacent to land zoned “AR” Agricultural / Residential within the area designated Agriculture / Low Density Residential (A/LDR) on the General Plan Land Use Map. The transition area is measured from the nearest boundary of the “AR” zoning district within the A/LDR area.
2. All nonresidential development located within the transition area shall be designed to minimize conflicts, assure compatibility, and provide an appropriate transition in use, intensity and function through the application of site and building design and performance criteria such as those in this Section.
3. Agricultural uses in any zoning district are exempt from these requirements.

D. **Compatible design and site planning within the transition area.**

1. Landscape buffers between non-residential uses and residential uses zoned AR and within the area designated Agriculture/Low Density Residential (A/LDR) on the General Plan Land Use Map are required in accordance with Section 6.3.6 Landscape Buffers.
2. Circulation.
   a. Vehicle circulation shall be arranged to minimize the impacts of headlights, or shall be mitigated by a complete screen at a minimum height of four (4) feet consisting of heavy landscaping, a solid wall or combination of these.
   b. Access by commercial vehicles and commercial traffic to local residential streets shall be avoided where other routes are available.
3. Outdoor storage.
   a. Where allowed, outdoor storage of materials, equipment, machinery or vehicle storage areas shall be screened from view from the abutting AR district within the A/LDR area by a building or walls subject to Section 3.6.9.
   b. Refuse containers shall be placed away from the boundary of existing or planned home sites where disturbance of residential uses due to refuse pickup will be minimized.
4. Light and glare.
   a. Particular attention shall be given to outdoor illumination in the transition area, including but not limited to parking lot lighting, security lighting, and signs visible from the AR area. Adjustments to mounting heights near residential boundaries and the use of shielding to minimize impacts and light trespass on adjacent properties may be required.
5. Site layout and building design.
   a. Upper story windows shall be situated and designed to limit or avoid visual intrusion and lighting glare into existing or planned home sites.

### *Section 3.2.4 Residential use*

A. Dwellings in all zoning districts shall be for the exclusive occupancy of Community members and their families.

## *Article 3.3 Administrative Public (AP) Zoning District*

### *Section 3.3.1 Purpose*

A. The Administrative Public (AP) zoning district is established to accommodate SRP-MIC civic, cultural, institutional, medical, educational, housing, service, and other governmental uses that primarily serve, or are for the benefit of or use by, the Community members of the Salt River Pima-Maricopa Indian Community. Commercial uses that are secondary, supportive or an extension of a primary use that predominately serves Community members may be allowed.

B. The development standards and regulations of the AP Zoning District are intended to:

1. Provide flexibility in locating a broad mix of government, civic and Community services where they can best serve the Community and its membership.
2. Establish regulations and standards that help to ensure compatibility with, and minimize negative impacts on, existing or anticipated uses on the same site and in the surrounding area.
3. Encourage quality design and development that reflects the values of the Community.
4. Encourage efficient use of public lands and sustainable development practices.

### *Section 3.3.2 Permitted uses*

The Land Use Table in Chapter 4 (Table 4.1) establishes the uses permitted within the AP Zoning District.

A. Non-residential uses other than those referenced in Section 3.3.1 A. above or provided by or on behalf of SRP-MIC must be located in the Commercial Mixed Use Land Category in the General Plan and zoned in the appropriate Commercial, Mixed Business or Industrial zoning district.

### *Section 3.3.3 District development standards*

A. District development standards for the AP district are shown in Table 3.3.

B. Unless specifically stated, all standards and provisions apply equally to principal and accessory uses.

C. Maximum Building Height**.**

1. In addition to permitted exemptions to the maximum building height in Section 3.2.2.D, the Zoning Administrator may approve an additional twenty (20) percent height variation to the maximum building height in accordance with Article Section 2.4.

**Table 3.3 AP District Development Standards**

| AP - Administrative Public Zoning District | Dimensional Development Standards |
|---|---|
| **Maximum Floor Area Ratio** | n/a |
| Within the Pima Corridor | 0.45 |
| **Maximum Building Size (Gross Floor Area)** | No maximum building size |
| **Maximum Building Height** | 40 ft. |
| Within Pima Corridor | 80 ft. (6 story limit) |
| **Minimum Building Setback** | |
| From ROW line or private street back-of-curb of: Arterial, Freeway or Highway (SR 87) | 25 ft. plus ½ ft. for each 1 ft. over 45 ft. height |
| Collector | 20 ft. plus ½ ft. for each 1 ft. over 45 ft. height |
| Local street | 15 ft. plus ½ ft. for each 1 ft. over 45 ft. height |
| From side/rear property line or site boundary | 10 ft. plus ½ ft. for each 1 ft. over 45 ft. height or the minimum base area depth, whichever is more |
| Adjacent to AR within A/LDR land use category | 20 ft. plus 1/2 ft. for each 1 ft. over 45 ft. height |
| **Minimum Building Separation** (between buildings on the same site) | |
| Between building sides | The sum of the minimum base landscape area depths required of the adjacent buildings per Section 6.3.11 B.2. or building code, whichever is greater |
| Between principal and accessory buildings | Per building code or minimum 12 ft. if used as walkway, whichever is greater |
| Between accessory buildings | Per building code or minimum 12 ft. if used as walkway, whichever is greater |
| **Minimum Landscaping and Open Space** | See Articles 6.3, 6.5, and 6.7 |
| Streetscape / Landscape Setback | Per Section 6.3.5 |
| Landscape Buffers and Borders | Per Sections 6.3.6 and 6.3.7 |
| Building Base Area | Per Section 6.3.11 |
| Parking Lot Landscaping | Per Section 6.7.6 and Article 6.3 |
| Total minimum landscaping and open space (includes all landscape areas) | 18% of site |

## *Article 3.4 Commercial (C1, C2, C3) Zoning Districts*

**Village Commercial (C1), Community Commercial (C2) and General Commercial (C3)**

### *Section 3.4.1 Purpose*

A. The commercial zoning districts, together, accommodate a full range of office, retail, entertainment and service uses to serve the needs of the Community, the surrounding area, the metro area, and visitors from outside the region to help fulfill the economic vitality goals in the Community's General Plan.

B. The purpose for establishing multiple commercial zoning districts and related standards and regulations include:

1. Accommodating various types, scale, and intensities of commercial uses at appropriate locations where they best serve the intended market or Community needs.
2. Grouping land uses to promote compatibility and synergy between adjacent uses.
3. Minimizing the potential negative impacts between different uses.
4. Providing a variety of economic and employment opportunities for Community members and residents.
5. Encouraging building, landscape and site improvements so that they enhance the areas they are located in and create an appropriate sense of place significant to the SRP-MIC.

6. Promoting site planning and architectural design relevant to the aesthetic values of the SRP-MIC.

C. **Purpose and Character of Individual Commercial Districts.**

1. The Village Commercial (C1) Zoning District provides locations for businesses and services that are oriented towards meeting the daily and specialty goods and service needs of the Community.

   a. The C1 district primarily is intended for areas located within the “People’s Village” as shown on the General Plan land use map and for Community-oriented areas subsequently identified within the General Plan.

   b. Tenants are typically businesses owned by Community members or Community public agencies that provide services to Community members.

   c. Uses in this district do not generate large volumes of traffic, particularly from outside the Community, or traffic with significant adverse effects on adjacent residential areas.

   d. Settings include clusters of small-scale, low-intensity retail, service and office facilities in a central location that is convenient to the Community residents.

   e. Sites generally range in size less than five (5) acres.

   f. Site layout and architectural designs in Village Commercial areas shall be substantially reflective of the Community’s culture.

      1). Sites should include outdoor gathering areas that accommodate Community activity, provide spaces for outdoor sales, dining, entertainment and socializing, and support and accommodate adjacent businesses and services.

      2). Circulation is oriented to pedestrian use. Convenient parking areas and drop-offs enhance short-term visits for patrons while longer-term parking is located at the perimeters of the site.

      3). Views of the mountains from public spaces should be preserved by the arrangement of buildings and layout of the site.

2. The Community Commercial (C2) Zoning District meets the general weekly shopping and service needs of the Community and accommodates small and medium-sized shops, offices, convenience goods and services, auto service stations, apparel, hardware, groceries, and similar uses.

   a. The C2 district is intended for locations shown on the General Plan as Commercial Neighborhood adjacent to an arterial street near the perimeter of the Community where allowed uses benefit from through-traffic without attracting new traffic into the interior of the Community.

   b. Sites generally range from five (5) to twenty (20) acres.

3. The General Commercial (C3) Zoning District implements the Community’s goals of economic vitality, employment opportunities and cultural exchange.

   a. Primarily suited for the area designated Commercial Mixed Use in the General Plan, the C3 zoning district provides a quality environment appropriate for destination entertainment uses, tourist attractions and accommodations, restaurants, retail shops and similar uses as well as commercial uses serving the metropolitan region and the surrounding communities.

   b. The area may also include convenience retail, services, large office uses, and businesses that support other businesses.

   c. Destination type developments include strong and convenient links between the various complementary developments within the Community, in order to broaden and enhance the experience of visitors and to increase cross-marketing opportunities and profitability for the businesses. Links include internal vehicular and pedestrian connections and local public transit between destinations.

d. Agriculture and residential uses in this district are considered interim uses with eventual conversion to commercial uses.

### *Section 3.4.2 Permitted uses*

The Land Use Table in Chapter 4 (Table 4.1) establishes the uses permitted within the commercial districts.

### *Section 3.4.3 District Development standards*

A. District development standards for commercial zoning districts are shown in Table 3.4.

B. Unless specifically stated otherwise, all standards and provisions apply equally to principal and accessory uses.

**Table 3.4 Commercial District Development Standards**

| **C1, C2 & C3 – Commercial Zoning Districts** | **Dimensional Development Standards** | | |
|---|---|---|---|
| | **C1** | **C2** | **C3** |
| **Maximum Floor Area Ratio** | 0.25 | 0.25 | 0.25 |
| Within the Pima Corridor | 0.45 | 0.45 | 0.45 |
| **Maximum Building Size** (Gross Floor Area) | 16,000 sf. | 50,000 sf. | No maximum size |
| **Maximum Building Height** | 25 ft. | 30 ft. | 40 ft. |
| Within the Pima Corridor | 80 ft.<br>(6 story limit) | 80 ft.<br>(6 story limit) | 80 ft.<br>(6 story limit) |
| **Minimum Building Setback** | | | |
| From ROW or private street back-of-curb of:<br>Arterial, Freeway or Highway (SR 87) | 25 ft. plus ½ ft. for each 1 ft. over 45 ft. height | | |
| Collector | 20 ft. plus ½ ft. for each 1 ft. over 45 ft. height | | |
| Local street | 15 ft. plus ½ ft. for each 1 ft. over 45 ft. height | | |
| From side/rear property line or site boundary | 10 ft. plus ½ ft. for each foot over 45 ft. height or minimum base area depth, whichever is greater | | |
| Adjacent AR in A/LDR land use category | 30 ft. plus 1/2 ft. for each 1 ft. over 45 ft. height | | |
| **Minimum Building Separation** (between buildings on the same site) | | | |
| Between building sides | The sum of the minimum base landscape area depths required of the adjacent buildings per Section 6.3.11 B.2. or building code, whichever is greater | | |
| Between principal and accessory buildings | Per building code or minimum 12 ft. if used as walkway, whichever is greater | | |
| Between accessory buildings | Per building code or minimum 12 ft. if used as walkway, whichever is greater | | |
| **Minimum Landscaping and Open Space** | See Articles 6.3, 6.5 and 6.7 | | |
| Streetscape / Landscape setback | Per Section 6.3.5 | | |
| Landscape Buffers and Borders | Per Sections 6.3.6 and 6.3.7 | | |
| Building Base Area | Per Section 6.3.11 | | |
| Parking Lot Landscaping | Per Section 6.7.6 and Article 6.3 | | |
| Total minimum landscaping and open space (includes all landscape areas) | C1<br>18% | C2<br>18% | C3<br>18% |

## *Article 3.5 Mixed Business (MB) Zoning District*

### *Section 3.5.1 Purpose*

This district accommodates a mix of uses providing employment in commercial, administrative, professional, research, service, and limited light industrial activities. It is intended for lower intensity land uses than the LI district, with very low to no environmental impact and low generation of heavy-duty truck traffic. It includes convenience commercial retail and service uses that support and complement nearby employment centers. Buildings in the MB district are expected to share the

architectural character of office or commercial service uses. The district is suitable as a visual buffer and transition between more intense industrial land uses and arterial streets, and as a transition between commercial developments and industrial or residential areas.

### *Section 3.5.2 Permitted uses*

The Land Use Table in Chapter 4 (Table 4.1) establishes uses permitted within the MB zoning district.

### *Section 3.5.3 District development standards*

A. District development standards for MB district are shown in Table 3.5.

B. Unless specifically stated otherwise, all standards and provisions apply equally to principal and accessory uses.

C. No on-street parking is permitted in the MB district.

D. Accessory outdoor storage is allowed, unless otherwise noted in this ordinance, if screened from view in accordance with Section 6.3.9.

**Table 3.5 MB District Development Standards**

| **MB - Mixed Business Zoning District** | **Dimensional Development Standards** |
|---|---|
| **Maximum Floor Area Ratio** | 0.45 |
| Within the Pima Corridor | 0.45 |
| **Maximum Building Size** (Building Footprint) | 200,000 sq. feet. Greater than 200,000 sq. ft. requires a Conditional Use Permit. |
| **Maximum Building Height** | 40 ft. |
| within Pima Corridor | 80 ft. (6 story limit) |
| **Minimum Building Setback** | |
| From R.O.W line or private street back-of-curb of: Arterial, Freeway or Highway (SR 87) | 25 ft. plus ½ ft. for each 1 ft. over 45 ft. height |
| Collector | 20 ft. plus ½ ft. for each 1 ft. over 45 ft. height |
| Local street | 15 ft. plus ½ ft. for each 1 ft. over 45 ft. height |
| From side/rear property line or site boundary | 10 ft. plus ½ ft. for each 1 ft. over 45 ft. height or minimum base area depth, whichever is more |
| Adjacent to AR in A/LDR land use category | 35 ft. plus 1/2 ft. for each 1 ft. over 45 ft. height |
| **Minimum Building Separation** (between buildings on the same site) | |
| Between building sides | The sum of the minimum base landscape area depths required of the adjacent buildings per Section 6.3.11 B.2. or building code, whichever is greater |
| Between principal and accessory buildings. | Per building code or minimum 12 ft. if used as walkway, whichever is greater |
| Between accessory buildings | Per building code or minimum 12 ft. if used as walkway, whichever is greater |
| **Minimum Landscape and Open Space** | See Articles 6.3, 6.5 and 6.7 |
| Streetscape / Landscape setback | Per Section 6.3.5 |
| Landscape Buffers and Borders | Per Sections, 6.3.6 and 6.3.7 |
| Building Base Area. | Per Section 6.3.11 |
| Parking Lot Landscaping | Per Section 6.7.6 and Article 6.3 |
| Total minimum landscaping and open space (includes all landscape areas) | 20% |

# Article 3.6 Light Industrial (LI) Zoning District

## Section 3.6.1 Purpose

The Light Industrial (LI) district accommodates the development of a broad range of employment opportunities in an attractive, landscaped development setting. The district is intended for light industrial uses that have low to no risk for environmental contamination, fire, or explosion. Uses include light manufacturing and processing, research and development, warehousing, wholesaling, various trades and office uses. Buildings in the LI district are expected to have architectural character on all sides of the building, and have design quality compatible with adjacent properties zoning and development.

## Section 3.6.2 Permitted uses

The Land Use Table in Chapter 4 (Table 4.1) establishes the uses permitted within the LI Zoning District.

## Section 3.6.3 District use standards

A. District development standards for the LI district are shown in Table 3.6.

B. Unless specifically stated otherwise, all standards and provisions apply equally to principal and accessory uses.

C. No on-street parking is permitted in the LI district.

D. No outdoor display of merchandise is permitted except as noted in the specific use standards for businesses primarily involving outdoor sales as described in Tables 4.1 and 4.2.

E. Accessory outdoor storage and accessory outdoor work is allowed, unless otherwise noted in this ordinance, if screened from view in accordance with Section 6.3.9.

F. District development standards for the LI district are shown in Table 3.6.

G. Unless specifically stated otherwise, all standards and provisions apply equally to principal and accessory uses.

H. No on-street parking is permitted in the LI district.

**Table 3.6 LI District Development Standards**

| **LI – Light Industrial Zoning District** | **Dimensional Development Standards** |
|---|---|
| **Maximum Floor Area Ratio** | 0.45 |
| Within the Pima Corridor | 0.45 |
| **Maximum Building Size** (Building Footprint) | 200,000 sq. ft. Greater than 200,000 sq. ft. requires a Conditional Use Permit |
| **Maximum Building Height**<br>Within Pima Corridor | 45 ft.<br>80 ft. (6 story limit) |
| **Minimum Building Setback** | |
| From R.O.W or private street back-of-curb of:<br>Arterial, Freeway or Highway (SR 87) | 35 ft. plus ½ ft. for each 1 ft. over 45 ft. height |
| Collector | 30 ft. plus ½ ft. for each 1 ft. over 45 ft. height |
| Local street | 30 ft. |
| From side/rear property line or site boundary adjacent to:<br>LI zoning district | 10 ft. plus ½ ft. for each 1 ft. over 45 ft. height or minimum base area depth, whichever is more |
| Non-LI zoning districts | 20 ft. plus ½ ft. for each foot over 45 ft. height |
| AR within A/LDR land use category | 35 ft. plus 1/2 ft. per 1 ft. over 45 ft. height |

**Table 3.6 LI District Development Standards**

| LI – Light Industrial Zoning District | Dimensional Development Standards |
|---|---|
| **Minimum Building Separation** (between buildings on the same site) | |
| Between building sides | The sum of the minimum base landscape area depths required of the adjacent buildings per Section 6.3.11 B.2. or building code, whichever is greater |
| Between primary and accessory buildings. | Per building code or minimum 12 ft. if used as walkway, whichever is greater |
| Between accessory buildings | Per building code or minimum 12 ft. if used as walkway, whichever is greater |
| **Minimum Landscaping and Open Space** | See Articles 6.1, 6.3, 6.5 and 6.7 |
| Streetscape / Landscape setback | Per Section 6.3.5 |
| Landscape Buffers and Borders | Per Sections 6.3.6 and 6.3.7 |
| Building Base Area | Per Section 6.3.11 |
| Parking lot landscaping | Per Section 6.7.6 and Article 6.3 |
| Public and employee parking areas | Per Section 6.7.6 and Article 6.3 |
| Total minimum landscaping and open space (includes all landscape areas) | 20% of site |

# *Article 3.7 Agricultural Residential (AR) Zoning District*

## *Section 3.7.1 Purpose*

The Agricultural Residential (AR) zoning district is intended for agricultural uses and the homes of Community members and their families. It also accommodates other uses that are a necessary part or extension of agricultural operations or uses which serve the collective needs of the Community members.

## *Section 3.7.2 Permitted Uses*

The Land Use Table in Chapter 4 (Table 4.1) establishes the uses permitted within the AR Zoning District.

## *Section 3.7.3 Nonresidential uses*

A. Community Services and government facilities provided for the SRP-MIC by or on behalf of the SRP-MIC located on land zoned AR shall comply with the AP district and general development standards.

B. Non-agricultural and non-residential uses other than those provided by or on behalf of SRP-MIC must be located in the Commercial Mixed Use or Neighborhood Commercial Land Category in the General Plan and zoned in the appropriate Commercial, Mixed Business or Industrial zoning district.

## *Section 3.7.4 District development standards*

A. Fences, hedges, and walls shall conform to Section 6.3.8 in Article 6.3 Landscaping, Screening and Walls.

B. District development standards for the AR district are shown in Table 3.7.

**Table 3.7 AR District Development Standards**

| AR – Agricultural Residential Zoning District | Single Family | Community Support Housing | Non-Residential |
|---|---|---|---|
| **Minimum home site size (net)**<br>With Sewer<br>With Septic Tank | <br>10,890 sf<br>14,520 sf | <br>n/a<br>n/a | <br>n/a<br>n/a |
| Minimum Width<br>Minimum Depth | 25 ft.<br>n/a | n/a<br>n/a | n/a<br>n/a |
| **Maximum Building Height** | 26 ft. | 50 ft. | 30 ft. |
| **Maximum Density**<br>Primary Structure | <br>1 unit/home site | <br>n/a | <br>n/a |
| **Maximum lot/site coverage (under roof)** | 45% | 45% | 45% |
| **Minimum Building Setback** | | | |
| **Front Yard**<br>Primary Structure<br>Accessory Structure | <br>20 ft.<br>25 ft. | 20 ft. | <br>45 ft.<br>45 ft. |
| **Side Yard**<br>Primary Structure<br>Accessory Structure | <br>12 ft.<br>8 ft. | 12 ft. | <br>45 ft.<br>45 ft. |
| **Rear Yard**<br>Primary Structure<br>Accessory Structure | <br>20 ft.<br>8 ft. | 20 ft. | <br>45 ft.<br>45 ft. |
| **Minimum Building Separation** | Per building code | Per building code | Per building code |
| **Minimum Open Space**<br>(percentage of gross site area)<br>Streetscape /Landscape setback<br>Building Base Area | n/a<br>n/a<br>n/a | n/a<br>Per Section 6.3.5<br>n/a | n/a<br>Per Section 6.3.5<br>n/a |
| Parking lot landscape for Residents, Public, and Employees | n/a | Per Section 6.7.6 and Article 6.3 | Per Section 6.7.6 and Article 6.3 |

# *Article 3.8 Natural Resource (NR) Zoning District*

## *Section 3.8.1 Purpose*

The Natural Resource (NR) zoning district is intended for open space, wildlife habitat, wetland and environment rehabilitation, recreation, farming, or the extraction, processing and storing of minerals from the site.

## *Section 3.8.2 Permitted uses*

Uses allowed shall conform to those listed in the Land Use Table in Chapter 4 (Table 4.1).

## *Section 3.8.3 District development standards*

A. All uses and development in the Natural Resource (NR) district shall comply with the related dimensional standards described in this Section, Table 3.8, the general district regulations and standards of Article 3.2, and the applicable standards and regulations of the other Chapters of this ordinance.

B. **General Provisions.**

1. All permanent facilities shall be developed in a manner that blends in with the natural environment of the surrounding area, has a low profile, and the least visual impact as possible.
2. Natural landscape screens or buffers shall be provided or preserved along the project perimeter.
3. Removal of existing vegetation shall be the minimum necessary for the development.
4. Restoration plans that specify improvements, time of completion and cost estimates for all restoration work may be required.
5. A non-revocable letter of credit may be required for use by the SRP-MIC government for the completion of restoration if the restoration is not completed at the agreed-upon level and on the agreed-upon schedule according to the approved restoration plan.

**Table 3.8 NR District Development Standards**

| **NR - Natural Resources Zoning District** | **Dimensional Development Standards** |
|---|---|
| **Maximum Floor Area Ratio** | 0.25 |
| **Maximum Building Size (gross floor area)** | No maximum building size applies |
| **Maximum Building Height** | 40 ft. |
| **Minimum Building Setback** | |
| From R.O.W or private street back-of-curb of:<br>Arterial, Freeway or Highway (SR 87) | 30 ft. |
| Collector | 30 ft. |
| Local Street | 30 ft. |
| From side/rear property line when adjacent to:<br>all zoning districts except LI<br>LI district<br>A/LDR land use area | <br>30 ft.<br>20 ft.<br>50 ft. plus 5 ft. per 1 ft. of structure height over 25 ft. |
| **Minimum Building Separation**<br>(between buildings on the same site) | |
| Between building sides of primary buildings | The sum of the minimum base landscape area depths required of the adjacent buildings per Section 6.3.11 B.2. or building code, whichever is greater |
| Between primary and accessory buildings | Per building code or minimum 12 ft. if used as walkway, whichever is greater |
| Between accessory buildings | Per building code or minimum 12 ft. if used as walkway, whichever is greater |
| **Minimum Open Space and Landscaping** | See Articles 6.1, 6.2, 6.3 and 6.7 |
| Streetscape / Landscape setback | Per Section 6.3.5 |
| Building Base Area | Per Section 6.3.11 |
| Parking lot landscape for: | |
| Public and employee parking areas | Per Section 6.7.6 and Article 6.3 |
| Fleet parking or equipment storage | 7 ft. perimeter landscape screen<br>No interior landscape required. |
| Total minimum landscaping and open space | 15% |

# *Article 3.9 Open Space (OS) Zoning District*

## *Section 3.9.1 Purpose*

The intent of the Open Space (OS) zoning district is the preservation of the predominantly open lands in the Community and maintenance of the natural desert characteristics of the area.

### *Section 3.9.2 Uses allowed*

Uses allowed shall conform to those listed in the Land Use Table in Chapter 4 (Table 4.1).

### *Section 3.9.3 District development standards*

The general district development standards shall be the same as those used in the AR district. The Zoning Administrator may modify these standards to reduce the impact of development or to maintain the natural desert character of the area.

### *Section 3.9.4 Design standards in elevated and hillside areas*

Development in the OS zoning district where the terrain has a natural grade of ten (10) percent (a vertical rise of 10 feet in a horizontal distance of 100 feet) or greater, or which is elevated such that development will have a significant visual impact shall conform to this Section.

A. **Site grading**.

Grading is limited to the area necessary for proposed improvements.

1. Grading shall be designed to:
   a. Conserve natural topographic features and appearances, including natural drainage courses and existing vegetation to the extent practicable.
   b. Blend graded slopes and benches with natural topography.
   c. Undulate the finished grade in a manner similar to the natural topography in the vicinity of the site.
   d. Control drainage in a manner that does not concentrate storm water runoff and cause erosion.
2. No cuts and fills or clearing shall occur in areas with slopes in excess of twenty-five (25) percent.
3. Cuts and fills shall not exceed twenty (20) feet in height from the toe of the fill to the top of the cut including the heights of any retaining walls.
4. Cuts are preferred to fills where the slope of fill material exceeds three (3) foot horizontal to one (1) foot vertical (3:1) or where it would be difficult to re-vegetate with native plants.
5. To achieve the maximum concealment of cut slopes adjacent to proposed structures, cut slopes around the structure shall extend the least practicable distance from the structure.
6. The visual impact of grading shall be minimized by doing most of the cut under the structures and incorporating retaining walls into the structure.
7. All graded areas shall be protected from wind and water erosion using acceptable slope stabilization methods.
8. Exposed retaining walls shall not exceed six (6) feet above finished grade and be constructed of materials that blend with the surrounding natural area. Where a higher wall is required, multiple parallel retaining walls shall be part of a tiered or terraced retaining wall system with at least four (4) feet of horizontal landscaped area between walls.

B. **Site selection for structures.**

1. Breaking the silhouette of the background landforms shall be avoided. Locate structures where existing land forms serve as backdrops rather than the sky as viewed from the residential areas of the Community, and
2. Choose sites that have the smallest visual impact as viewed from the residential area of the Community.
3. Unique geological features, such as rock outcroppings or cliff faces shall not be disturbed. Special care shall be taken in the design of sites so that those features are preserved.

C. **Design.**

1. Architecture, building materials and other improvements should blend with the surrounding area. See SRP-MIC Design Standards and Policies.
2. Design structures to fit the site to the extent possible, minimizing modification of the site to fit the proposed structures.
3. Design buildings and structures to blend into the surrounding natural environment:

D. **Re-vegetation/Restoration.**

1. Site disturbance shall be minimized.
2. Re-vegetation and restoration shall conform to applicable standards in Sections 6.3.3 and 6.3.4.
3. Construction equipment and stockpiled soils shall only be stored in areas that are to be disturbed during construction, such as roadway, driveway, and structure locations and in previously disturbed areas whenever possible.
4. All periphery areas disturbed by construction activity and all imperious areas on the site shall be re-vegetated in a manner and density similar to or higher than that existing prior to construction in a manner that blends into the surrounding area.
5. Restoration plans providing improvements, time of completion and cost estimates for all restoration work may be required along with a non-revocable letter of credit for use by the SRP-MIC government for the completion of the restoration, if the restoration is not completed to the agreed-upon level and on the agreed-upon schedule according to the approved restoration plan.

*Visual impacts of structures and buildings should be minimized, as follows:*

- *Use native materials on surfaces to the extent possible.*
- *Use material colors and textures that match those in the surrounding natural environment.*
- *Break up large continuous tall or wide building facades, create a diversity of massing to reduce the apparent size of structures, or divide a structure into separate modules and/or use different materials in different sections.*
- *Orient walls to match adjacent vertical surfaces so lighting plays on the walls in a manner similar to that in adjacent areas, where applicable.*
- *Articulate wall planes at various levels and provide a variety of solid and void elements that correspond with the surrounding area and/or use planters and native landscaping to break-up and mask the wall plane.*
- *Use native landscaping adjacent to walls to provide a screen and break up the mass of the structure and direct any storm water runoff to the landscaped areas to enhance plant health and growth.*

# *Chapter 4* Land Uses and Specific Use Standards

## *Article 4.1 Land Use Table*

### *Section 4.1.1 Uses Permitted within Zoning Districts*

A. The uses allowed in the various zoning districts are listed in Table 4.1, referred to as the "Land Use Table" throughout this ordinance.

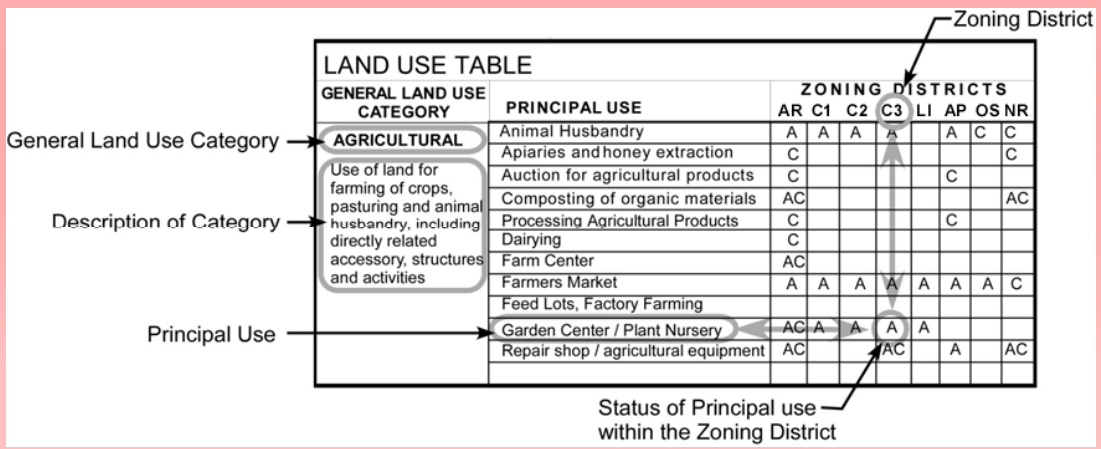
B. Uses in all of the zoning districts are required to obtain applicable approvals (Chapter 2), comply with applicable General Development Standards (Chapter 6), District Development Standards (Chapter 3), the provisions of any applicable Overlay District and any applicable specific use standards in this Chapter 4 and Chapter 7.

C. All uses shall comply with all other applicable legal requirements.

*The various uses allowed in each zoning district were selected based upon a variety of criteria, including how well they meet the purpose of the zoning district, how compatible they are, how well they function with other uses in the same district and where the zoning district is located.*

*The Land Use Table is arranged to make it easier to find a specific type of use and to determine in which zoning district that use is permitted.*

- *The first column of the table, with the heading "General Land Use Category" lists and describes the general types of land uses in which the individual users are grouped.*
- *The second column, under the heading "Principal Use", lists uses that fit within the description of the general use category. The uses listed are intended to be examples and include analogous uses. Detailed definitions of the principal uses are provided in Chapter 8 of this ordinance. (See Section 4.1.3 for uses not listed in the Land Use Table). If the use is not defined in Chapter 8, the commonly used definition applies.*
- *The symbols under the "Zoning Districts" heading, (AR, C1, C2, C3, MB, LI, AP, OS, and NR) represent the various Zoning Districts. These districts are defined in Chapter 3 and the Zoning Map indicates the areas of the Community where they apply.*




LAND USE TABLE

| GENERAL LAND USE CATEGORY | PRINCIPAL USE | ZONING DISTRICTS AR | C1 | C2 | C3 | LI | AP | OS | NR |
|---|---|---|---|---|---|---|---|---|---|
| AGRICULTURAL | Animal Husbandry | A | A | A | A | | A | C | C |
| Use of land for farming of crops, pasturing and animal husbandry, including directly related accessory, structures and activities | Apiaries and honey extraction | C | | | | | | | C |
| | Auction for agricultural products | C | | | | | C | | |
| | Composting of organic materials | AC | | | | | | | AC |
| | Processing Agricultural Products | C | | | | | C | | |
| | Dairying | C | | | | | | | |
| | Farm Center | AC | | | | | | | |
| | Farmers Market | A | A | A | A | A | A | A | C |
| | Feed Lots, Factory Farming | | | | | | | | |
| | Garden Center / Plant Nursery | AC | A | A | A | A | | | |
| | Repair shop / agricultural equipment | AC | | | AC | | A | | AC |

### *Section 4.1.2 Use and Interpretation of the Land Use Table*

A. The symbols listed in the same row of the principal use (A, AC, UR, C, N) indicate the status of that use within the zoning district listed at the top of the column. The meaning of the symbols is described below:

1. “A” - ALLOWED USE. An "A" in the Land Use Table (Table 4.1) indicates the principal use is allowed within the zoning district.
2. “AC” - ALLOWED WITH CONDITIONS. An "AC" in the Land Use Table (Table 4.1) indicates the principal use is allowed within the zoning district if the proposed use meets the specific use standards related to that use in Article 4.2, and as listed in Table 4.2. Uses that do not meet the specific use standards may be permitted with a Conditional Use Permit approved by the Community Council.
3. “UR” -ALLOWED WITH A USE REVIEW. A “UR” in the Land Use Table (Table 4.1) indicates that a Use Review is required as described in Section 2.13 to determine whether the use is allowed, allowed with conditions, or allowed with approval of a Conditional Use Permit described in Article 2.8.
4. “C” - CONDITIONAL USE. A "C" in the Land Use Table (Table 4.1) indicates the principal use is only permitted in the zoning district if the Community Council approves a Conditional Use Permit as described in Article 2.8. These uses are allowed on a case-by-case basis and may not be appropriate in all locations within a zoning district.
5. “N” - NOT ALLOWED. An “N” in the Land Use Table (Table 4.1) indicate the principal use is not allowed within the zoning district unless otherwise allowed by a use variance, an overlay district, or by another provision of this zoning ordinance.

B. **Accessory uses.** Unless otherwise stated in this ordinance, accessory uses are allowed in conjunction with an existing principal use and are subject to the same regulations as the principal use.

1. Accessory uses are buildings or structures on the same site or property as the related principal building that:
   a. Support uses that do not operate independently of the principal use and are subordinate in building area, intensity of use, or purpose to the related principal building or primary use(s) served.
   b. Are compatible with and do not adversely affect the other principal uses permitted under zoning regulations applicable to the property or adjacent uses.
   c. May contribute to the comfort or convenience of the occupants of the related principal building or use served.
   d. May be attached or detached from the structure continuing the primary use.
2. The Zoning Administrator’s determination of an accessory use may include:
   a. The amount of site area or floor space and equipment devoted to the activity compared to the principal use.
   b. Relative amounts of sales from the use compared to the principal use.
   c. How the use typically advertises itself and the proposed signage.
   d. Whether the activity is likely to operate independently of the principal use on the site.
   e. The customer type for the use compared to that of the primary use.
   f. The relative number of employees in the use or activity compared to the principal use.
   g. The typical building and site arrangement in relation to the principal use.

C. **Temporary uses.** Uses or activities that are temporary may be permitted through a Special Use Permit. Special Use permits are addressed separately in the SRP-MIC Code of Ordinances.

### *Section 4.1.3 Interpretation of uses and uses not listed in the Land Use Table*

A. **Analogous uses.**

1. The Zoning Administrator may make an interpretation that a use not specifically listed is analogous to a use that is listed in the Land Use Table.
2. Uses determined to be analogous to a use listed in the Land Use Table:
   a. May be allowed, allowed with conditions, allowed with a conditional use permit or not allowed within particular zoning districts, similar to the most similar use listed in the Land Use Table.
   b. May be required to meet specific use standards.
3. The Zoning Administrator's decision is final for administrative determinations of analogous uses.
4. Methodology. The provisions that apply to a land use will be determined giving consideration to the following:
   a. General description of the land use category.
   b. Purpose and location of the zoning district.
   c. Characteristics of the other uses permitted in the zoning districts with and without conditions.
   d. Type and number of customers served by the use.
   e. Number and type of employees in the use.
   f. Amount and type of traffic generated by the use.
   g. Hours of operation.
   h. General scale of the proposed use compared to the scale of other uses in the same category or zoning district.
   i. Vehicles and equipment used or associated with the operation of the use.
   j. Potential for adverse impacts between the use and other allowed uses in the zoning district.
   k. Potential for adverse impacts between the use and the uses allowed in adjacent zoning districts.
   l. Extent to which adverse impacts of a use can be mitigated and the practicability of necessary conditions and mitigation measures.

B. **Record of Interpretations.** A record of all interpretations of this ordinance shall be maintained in the Community Development Department.

| **Table 4.1 Land Use Table** | **Key: A** – Allowed; **AC** - Allowed with conditions; **UR** - Requires a Use Review; **C** – Requires Conditional Use Permit; **N** – Use is prohibited. See Section 4.2.1.A for descriptions. | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| **GENERAL LAND USE CATEGORY** | **PRINCIPAL USE** | **ZONING DISTRICTS** | | | | | | | | |
| | | AR[1] | C1 | C2 | C3 | MB[3] | LI[3] | AP[1] | OS | NR |
| **AGRICULTURAL** | | | | | | | | | | |
| Use of land for farming of crops, pasturing and animal husbandry, including directly related accessory structures and activities. | Animal husbandry | A | N | N | N | N | N | N | N | N |
| | Animal sanctuary | A | N | N | N | N | N | A | A | A |
| | Apiaries and honey extraction | C | N | N | N | N | N | N | C | C |
| | Auction (agricultural products, equipment) | C | N | N | N | N | C | N | N | N |
| | Breeding and keeping of male rooster, chicken, hen, fowl, poultry, cockerel or similar for purposes of cockfighting | N | N | N | N | N | N | N | N | N |
| | Commercial stables | C | N | N | N | N | N | N | N | N |
| | Community garden | A | A | A | A | A | A | A | A | A |
| | Composting (commercial for sale) | C | N | N | N | N | N | N | N | N |
| | Dairying | C | N | N | N | N | N | N | N | N |
| | Farm center | C | N | N | N | N | N | C | N | N |
| | Farming | A | A | A | A | A | A | A | C | A |
| | Feed store, Agricultural supply store, Saddle and tack shop | C | AC | AC | AC | N | N | N | N | N |
| | Feedlots, Factory farming | N | N | N | N | N | N | N | N | N |
| | Maintenance/repair, rental shop, for agricultural equipment (as a business) | C | N | N | N | N | C | N | N | N |
| | Open grazing | C | N | N | N | N | N | N | C | C |
| | Packing House for agricultural products produced within SRP-MIC. | C | N | N | N | N | A | C | N | N |
| | Pasturing of livestock | AC | AC | AC | AC | AC | AC | AC | N | N |
| | Plant nursery wholesale | A | N | N | N | N | A | N | N | N |
| | Processing or curing agricultural products produced within SRP-MIC | C | N | N | N | N | C | N | N | N |
| | Produce stand | AC | AC | AC | AC | AC | AC | AC | N | AC |
| | Riding academy | C | N | N | N | N | C | N | N | C |
| | Slaughtering of animals commercially | N | N | N | N | N | N | N | N | N |
| | Worker housing - Agricultural | C | N | N | N | N | N | N | N | N |
| **RESIDENTIAL** | | | | | | | | | | |
| **Residential Dwellings**, including Community Support Housing, for members of the SRP-MIC and their families only. | Community support housing | A | N | N | N | N | N | A | N | N |
| | Mobile home park | C | N | N | N | N | N | N | N | N |
| | Single family dwelling | A | A | A | A | N | N | A | A | A |
| | Home occupation and related accessory building(s) | AC | AC | AC | AC | N | N | AC | AC | N |
| **INSTITUTIONAL & CIVIC** | | | | | | | | | | |
| **Community Services** - Government facilities through which services are provided for Community members and residents by or on behalf of the SRP-MIC government. | Animal shelter/Pound | C | N | N | N | N | C | AC | N | N |
| | Crematorium | C | N | N | N | N | C | C | N | N |
| | Government agency offices or services | A | A | A | A | A | A | A | N | N |
| | Morgue | N | N | N | C | C | C | A | N | N |
| | Mortuary/Funeral Home | A | N | A | C | C | C | A | A | A |

| **Table 4.1 Land Use Table** | **Key: A** – Allowed; **AC** - Allowed with conditions; **UR** - Requires a Use Review; **C** – Requires Conditional Use Permit; **N** – Use is prohibited. See Section 4.2.1.A for descriptions. | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| **GENERAL LAND USE CATEGORY** | **PRINCIPAL USE** | **ZONING DISTRICTS** | | | | | | | | |
| | | AR[1] | C1 | C2 | C3 | MB[3] | LI[3] | AP[1] | OS | NR |
| | | | | | | | | | | |
| | Public safety and emergency response station (e.g., police, ranger, fire, ambulance) | A | A | A | A | A | A | A | A | A |
| | Senior center | A | A | A | A | N | N | A | A | A |
| | SRP-MIC offices (administration, general government and human services, meeting facilities) | A | A | A | A | A | A | A | N | A |
| | SRP-MIC government public works facilities (equipment yard, maintenance and repair shop, material storage) | A | N | N | N | A | A | A | N | A |
| **Correctional/Law enforcement** - detention or correctional related government services by and for the SRP-MIC. | Correction center and detention facilities (jail, honor camp, reformatories, juvenile center) | N | N | N | N | N | N | C | N | N |
| | Court house/Justice center | N | N | N | N | N | N | A | N | N |
| | Probation or parole office | N | N | N | C | C | C | A | N | N |
| | Weapons firing range | N | N | N | N | N | N | C | N | N |
| **Community Recreation** - indoor or outdoor facilities that provide active or passive recreation opportunities for the SRP-MIC members. | Community/Youth activity center | A | A | A | A | N | N | A | N | N |
| | Club or Lodge, Social Club, Charitable organizations | A | A | A | A | N | N | A | N | N |
| | Community park with active recreation facilities (public swimming pools, playgrounds, recreational sports fields and courts) | A | A | A | A | A | A | A | N | A |
| | Fair Grounds | A | N | N | C | N | C | A | N | N |
| | Neighborhood center | A | A | A | A | N | N | A | N | N |
| | Neighborhood park | A | A | A | A | A | A | A | C | A |
| | Riding and hiking trails (recreational) | A | N | N | N | N | N | N | A | A |
| **Cultural** - facilities providing for the cultural, religious, recreational, social, intellectual and artistic activities and manifestations primarily for the Community. | Cemetery, Columbarium, Mausoleum | A | N | N | N | N | N | A | N | N |
| | Library, museum, cultural center, art gallery, performing arts | A | A | A | A | N | N | A | N | N |
| | Memorial hall, Cry house | A | N | N | N | N | N | A | N | N |
| | Places of worship (20,000 sf. or less on-site) | A | N | N | N | N | N | A | N | N |
| | Places of worship (20,001 sf. or more on-site) | C | N | N | N | N | N | C | N | N |
| **Educational Institutions/Schools** - providing education and/or training. | College or University | N | N | N | C | N | N | C | N | N |
| | Community public or private school | A | N | N | N | N | N | A | N | N |
| | Vocational, technical and trade schools | N | A | A | A | A | A | A | N | N |
| | Vocational, technical and trade schools, Agricultural-related | C | N | N | N | N | N | A | N | N |

| **Table 4.1 Land Use Table** | **Key: A** – Allowed; **AC** - Allowed with conditions; **UR** - Requires a Use Review; **C** – Requires Conditional Use Permit; **N** – Use is prohibited. See Section 4.2.1.A for descriptions. | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| **GENERAL LAND USE CATEGORY** | **PRINCIPAL USE** | **ZONING DISTRICTS** | | | | | | | | |
| | | AR[1] | C1 | C2 | C3 | MB[3] | LI[3] | AP[1] | OS | NR |
| **Preserve/Conservation** area - an area in which native flora and fauna and other environmental or cultural aspects are protected in their natural condition. | Wildlife preserves, desert preserves, nature preserves, culturally significant, historic or archeological areas. | A | A | A | A | A | A | A | A | A |
| **OFFICE / PROFESSIONAL SERVICES** | | | | | | | | | | |
| **General Office** - activities conducted in an office setting and generally focusing on business, government, professional, or financial services. | Automatic Teller Machine (ATM) | A | A | A | A | A | A | A | N | N |
| | Financial Institution | N | A | A | A | A | A | A | N | N |
| | Business, Professional and Corporate Headquarter Offices | N | A | A | A | A | A | A | N | N |
| | Intensive office use, Call centers | N | N | N | A | A | A | N | N | N |
| **Medical Services** --- uses involving the diagnosis, treatment and care of humans. | Ambulance services (private / commercial) | C | N | C | C | C | C | C | N | N |
| | Assisted living facility | C | N | C | C | N | N | A | N | N |
| | Health and welfare center | A | A | A | A | A | N | A | N | N |
| | Hospice | A | N | C | C | N | N | A | N | N |
| | Hospital | N | N | N | C | N | N | C | C | N |
| | Hospital - psychiatric | N | N | N | C | C | N | C | N | N |
| | Medical office / clinic | A | A | A | A | A | N | N | N | N |
| | Medical testing center | N | A | A | A | A | N | A | N | N |
| | Medical treatment center | N | N | A | A | A | N | A | N | N |
| | Nursing home | A | N | C | C | N | N | A | N | N |
| | Rehabilitation center - behavioral | N | N | N | C | C | N | A | N | N |
| | Rehabilitation center - medical | N | N | A | C | C | N | A | N | N |
| | Urgent care facility | N | A | A | A | A | N | N | N | N |
| **COMMERCIAL / RETAIL SALES / SERVICE TRADES** | | | | | | | | | | |
| **Animal-Related Services** – uses providing for the care of pets and other domestic animals. | Animal Crematory | N | N | N | N | N | C | N | N | N |
| | Animal hospital | C | N | N | C | C | C | C | N | N |
| | Kennel | N | N | N | C | C | C | C | N | N |
| | Pet day care | N | N | N | AC | AC | AC | A | N | N |
| | Pet grooming | N | A | A | A | A | A | A | N | N |
| | Veterinary clinic | N | AC | AC | AC | AC | AC | A | N | N |
| **Services** – uses primarily providing non-medical services related to recurring individual needs and sale of related products. | Day care center (children or adult) | A | AC | AC | AC | C | N | AC | N | N |
| | Day care-home-based (children or adult) | A | AC | AC | AC | N | N | AC | AC | N |
| | Dry cleaning drop off/pick up station | N | A | A | A | N | N | N | N | N |
| | Laundromat | N | A | A | A | N | N | N | N | N |
| | Maintenance and repair services | N | A | A | A | A | A | A | N | N |
| | Personal Services | N | A | A | A | A | N | A | N | N |
| | Auction | N | N | N | N | N | C | N | N | N |

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|---|---|---|---|---|---|---|---|---|---|---|
| **GENERAL LAND USE CATEGORY** | **PRINCIPAL USE** | **ZONING DISTRICTS** | | | | | | | | |
| | | AR[1] | C1 | C2 | C3 | MB[3] | LI[3] | AP[1] | OS | NR |
| **Retail Sales** - selling of goods, wares, or merchandise or providing non-personal services directly to the ultimate consumer. Sales are not transacted for resale or on a wholesale basis. | Bar or Tavern | N | N | N | N | N | N | N | N | N |
| | Business Services | N | A | A | A | A | A | A | N | N |
| | Convenience stores without auto fuel sales | N | A | A | A | A | A | A | N | N |
| | Food catering service | N | A | A | A | A | A | A | N | N |
| | Garden Center | N | N | N | N | N | N | N | N | N |
| | General Market | N | A | A | A | N | N | A | N | N |
| | General Merchandise | N | A | A | A | N | N | A | N | N |
| | Marijuana establishment | N | N | N | N | N | N | N | N | N |
| | Pawn shops, Pawnbroker, Check cashing, Payday loans | N | N | N | N | N | N | N | N | N |
| | Pet store/Retail sale of pets, pet food and supplies | N | A | A | A | N | N | N | N | N |
| | Pharmacy | N | A | A | A | N | N | A | N | N |
| | Restaurant – Full Service | N | A | A | A | N | N | A | N | N |
| | Restaurant – Limited Service | N | N | A | A | A | A | A | N | N |
| | Secondhand / Consignment Stores | N | A | A | A | N | N | A | N | N |
| | Thrift Store | N | C | C | C | N | N | A | N | N |
| **Outdoor Vending** – sale of merchandise to customers outdoors or in partially enclosed facilities. | Building, landscape, or construction materials | N | AC | AC | AC | AC | AC | N | N | N |
| | Drive-through sales or service (for bank, pharmacy, dry cleaners, restaurant, etc.) | N | N | AC | AC | AC | AC | AC | N | N |
| | Farmers market (with permanent facilities) | C | C | C | C | N | N | C | N | N |
| | Farmers market (without permanent facilities) | C | AC | AC | AC | AC | AC | AC | N | N |
| | Flea market (with permanent facilities) | N | C | C | C | N | N | C | N | N |
| | Flea market (without permanent facilities) | N | AC | AC | AC | N | N | AC | N | N |
| | Manufactured Home/Factory built building sales | N | N | N | N | N | C | N | N | N |
| | Mobile vendor | N | AC | AC | AC | AC | AC | AC | N | AC |
| **Auto/Light Vehicle -** Sales, Rental, Service, Repair and Maintenance - businesses involved in the sale, leasing, storage, and servicing of autos and light vehicles such as motorcycles, light trucks, trailers and boats. | Auto/light vehicle rental | N | N | N | C | AC | AC | N | N | N |
| | Auto/light vehicle rental pickup | N | N | A | A | A | A | N | N | N |
| | Auto/light vehicle sales and leasing (indoors) | N | N | N | A | A | A | N | N | N |
| | Auto/light vehicle sales and leasing (outdoors) | N | N | N | C | C | C | N | N | N |
| | Electric charging stations accessory to parking areas | A | A | A | A | A | A | A | N | A |
| | Electric charging stations stand alone | N | C | A | A | A | A | A | N | N |

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|---|---|---|---|---|---|---|---|---|---|---|
| **GENERAL LAND USE CATEGORY** | **PRINCIPAL USE** | **ZONING DISTRICTS** | | | | | | | | |
| | | AR[1] | C1 | C2 | C3 | MB[3] | LI[3] | AP[1] | OS | NR |
| | | | | | | | | | | |
| | Fleet services | N | N | N | N | N | AC | A | N | N |
| | Maintenance shop (brake, car wash/detail, muffler, oil and filter change, tire shops, window replacement shop) | N | N | AC | AC | AC | AC | N | N | N |
| | Mechanical repair shop, body shop, paint shop | N | N | N | N | N | C | A | N | N |
| | Service station, automobile light vehicle fuel, gas station with or w/out convenience shop, car wash | N | N | AC | AC | AC | AC | N | N | N |
| **Commercial / Heavy Vehicle** Sales, Rental, Leasing Service and Equipment Service, Repair and/or Maintenance shop. | Commercial /heavy vehicle and equipment sales, leasing, or rental | N | N | N | N | N | C | N | N | N |
| | Maintenance shop, mechanical repair shop | N | N | N | N | N | C | A | N | N |
| | Truck Stop / truck fuel sales | N | N | N | C | N | C | N | N | N |
| **LODGING** | | | | | | | | | | |
| **Lodging/Visitor Accommodations** - provision of a guest room with bathroom facilities. Accessory uses may include central kitchen, dining room, restaurant, office, indoor and/or outdoor recreation, gift shop, laundromat, and meeting rooms. | Dormitory | N | N | N | C | N | N | C | N | N |
| | Hotel / Motel / Inn | N | N | C | C | C | N | N | N | N |
| | Recreational Vehicle Park | N | N | N | N | N | N | N | N | N |
| **ENTERTAINMENT AND COMMERCIAL RECREATION** | | | | | | | | | | |
| **Outdoor recreational uses**- commercial facilities operated as a business and open to the public for participation or spectator amusement and conducted in an open or partially closed or screened facility. Accessory uses may include snack bar, restaurant, and retail sales of related sports and health fitness items. | Commercial swimming pools, Water park | N | N | N | C | N | N | N | N | N |
| | Equestrian-oriented arena, Polo field, Rodeo | C | N | N | C | N | N | C | N | C |
| | Miniature golf, go-cart track | N | N | N | C | N | N | N | N | N |
| | Stage/theatre/amphitheater (small scale or accessory use) | N | A | A | A | A | N | A | N | N |
| | Recreational lakes and/or campgrounds | N | N | N | N | N | N | A | N | C |
| | Sports fields, sports courts (commercial) | N | N | N | C | N | N | N | N | N |
| | Street performers, outdoor performing arts or demonstrations as an occasional amenity to existing businesses on the same site | N | A | A | A | A | A | A | N | N |
| | Zoo, wildlife exhibits | N | N | N | C | N | N | N | N | N |

| **Table 4.1 Land Use Table** | **Key: A** – Allowed; **AC** - Allowed with conditions; **UR** - Requires a Use Review; **C** – Requires Conditional Use Permit; **N** – Use is prohibited. See Section 4.2.1.A for descriptions. | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| **GENERAL LAND USE CATEGORY** | **PRINCIPAL USE** | **ZONING DISTRICTS** | | | | | | | | |
| | | AR[1] | C1 | C2 | C3 | MB[3] | LI[3] | AP[1] | OS | NR |
| | | | | | | | | | | |
| **Indoor recreational uses** – commercial recreational facilities for public participation or spectator amusement. Accessory uses may include snack bar, restaurant, rental or sale of related equipment or materials and other related concessions. | Equestrian-oriented arena (equestrian-related riding /rodeo / polo) | C | N | N | C | N | N | A | N | N |
| | Health/fitness center, gymnasium, indoor ball courts | N | A | A | A | A | A | A | N | N |
| | Lodge, club, civic-oriented organization | N | A | A | A | A | A | A | N | N |
| | Museum | N | A | A | A | N | N | A | N | N |
| | Cinema | N | A | A | A | N | N | A | N | N |
| | Recreational Facilities | N | N | A | A | A | A | A | N | N |
| | Studio for teaching arts, dance, martial arts, music, yoga, etc. | N | A | A | A | A | A | A | N | N |
| | Wildlife exhibits | N | N | N | C | N | N | A | N | N |
| **LARGE ENTERTAINMENT VENUES** | | | | | | | | | | |
| Large Scale Indoor or outdoor facilities or activities intended to attract spectators to events or shows from a region or multistate area and may have changing entertainment. Accessory uses may including restaurants, concessions, vendors, retail shops, etc. | Amphitheater | N | N | N | C | N | N | N | N | N |
| | Amusement park, theme park | N | N | N | C | N | N | N | N | N |
| | Aquarium | N | N | N | C | N | N | N | N | N |
| | Casino or gaming facilities (Community only) | N | N | N | A | N | N | N | N | N |
| | Driving range, Golf course | N | N | N | C | N | N | N | N | C |
| | Exhibition or convention center | N | N | N | C | N | N | N | N | N |
| | Performing arts theater | N | N | N | C | N | N | C | N | N |
| | Race track | N | N | N | C | N | N | N | N | N |
| | Stadium, Arena, Concert hall | N | N | N | C | N | N | N | N | N |
| **INDUSTRIAL** | | | | | | | | | | |
| **Light Industrial** – Businesses involved in assembly and/or use of pre-manufactured parts or materials to produce a product, or provide a service. Includes incidental storage of supplies, and sales and distribution and products created on the site. | Artisan handcraft industry | N | N | N | A | A | A | N | N | N |
| | Building and related trades | N | N | N | N | UR | UR | N | N | N |
| | Data center | N | N | N | N | UR | UR | N | N | N |
| | Food preparation facility | N | N | N | N | UR | UR | N | N | N |
| | Laboratory - material testing | N | N | N | N | N | UR | N | N | N |
| | Light Assembly | N | N | N | N | A | A | N | N | N |
| | Motion picture site/studio | N | N | N | N | N | C | N | N | N |
| | Printing / publishing | N | N | N | N | C | C | N | N | N |
| **Research / Development** Testing, research, analysis, product development, may involve light assembly of components and related office, work areas and storage. | Product development, research and testing (Medical, biological, and/or pharmaceutical) | N | N | N | N | UR | UR | N | N | N |
| | Product development, research and testing (other than medical, biological, pharmaceutical) | N | N | N | N | UR | UR | N | N | N |

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|---|---|---|---|---|---|---|---|---|---|---|
| **GENERAL LAND USE CATEGORY** | **PRINCIPAL USE** | **ZONING DISTRICTS** | | | | | | | | |
| | | AR[1] | C1 | C2 | C3 | MB[3] | LI[3] | AP[1] | OS | NR |
| | | | | | | | | | | |
| **General Industrial / Manufacturing** -Uses engaged in the basic processing and manufacturing of materials, parts or products from extracted or raw materials or from previously-prepared materials. | Asphalt or concrete batch plant | N | N | N | N | N | C | N | N | N |
| | Electroplating | N | N | N | N | N | N | N | N | N |
| | Food and beverage manufacturing/processing for wholesale or distribution for resale | N | N | N | N | N | C | N | N | N |
| | General manufacturing and assembly | N | N | N | N | N | C | N | N | N |
| | Mining, extraction, processing, storage and sale of extracted materials | N | N | N | N | N | C | N | N | C |
| **STORAGE / WAREHOUSING** | | | | | | | | | | |
| **Storage / Warehousing** – facilities used for storage of products, or equipment with no on-site sales, packaging, processing or assembly activities. | Bulk storage and/or distribution of volatile or hazardous substances including propane, petroleum products | N | N | N | N | N | N | N | N | N |
| | Bulk outdoor storage and/or distribution of non-volatile, non-hazardous materials | N | N | N | N | N | C | N | N | N |
| | Contractor's yard | N | N | N | N | N | C | N | N | N |
| | Frozen food lockers | N | N | N | N | N | C | N | N | N |
| | Heavy equipment, commercial vehicles outdoor storage yard | N | N | N | N | N | C | N | N | N |
| | Indoor office-storage facility | N | N | N | AC | AC | AC | N | N | N |
| | Indoor mini-storage/self-service storage facility | N | N | N | N | N | N | N | N | N |
| | Outdoor self-service storage warehouse, including outdoor vehicle storage[2] | N | N | N | N | N | N | N | N | N |
| | Outdoor material storage and distribution (pipe yards, construction supplies, building materials, materials used in heavy construction) | N | N | N | N | N | C | N | N | N |
| | Showroom in conjunction with a permitted use | N | N | N | N | AC | AC | N | N | N |
| | Warehouse | N | N | N | N | A | A | N | N | N |
| | Wholesaling in conjunction with a permitted use. | N | N | N | N | A | A | N | N | N |
| **Waste / Recycling** - businesses or services involving the collection, processing and/or storage of non-hazardous waste materials for permanent or temporary storage and/or recycling. | Collection containers or drop-off location for recyclable material (e.g., cans, newspapers) or donated articles (e.g., clothing, shoes) | AC | AC | AC | AC | AC | AC | AC | N | N |
| | Landfill/Dump | N | N | N | N | N | C | C | N | N |
| | Recycled materials collection, processing and transfer station | N | N | N | N | N | C | C | N | N |
| | Salvage yard | N | N | N | N | N | N | N | N | N |
| | Hazardous waste treatment, storage and disposal facility (TSDF) | N | N | N | N | N | N | N | N | N |

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|---|---|---|---|---|---|---|---|---|---|---|
| **GENERAL LAND USE CATEGORY** | **PRINCIPAL USE** | **ZONING DISTRICTS** | | | | | | | | |
| | | AR[1] | C1 | C2 | C3 | MB[3] | LI[3] | AP[1] | OS | NR |
| **DISTRIBUTION** | | | | | | | | | | |
| **Product Distribution –** Facilities used for packaging and processing products for distribution with no-onsite sales. | Distribution center/delivery station/urban distribution | N | N | N | N | UR | UR | N | N | N |
| | Product fulfillment center | N | N | N | N | UR | UR | N | N | N |
| **UTILITIES / INFRASTRUCTURE** | | | | | | | | | | |
| **Communication Facilities** – uses, structures and equipment for the wireless transmission and reception of information including electromagnetic. | Amateur radio antenna up to 35 feet in height | AC | AC | AC | AC | AC | AC | AC | AC | N |
| | Amateur radio antenna over 35 feet in height | C | C | C | C | C | C | C | N | N |
| | Commercial Transmitting/Receiving Facilities | N | N | N | C | C | C | C | N | N |
| | Public Safety Wireless Communications Facilities | A | A | A | A | A | A | A | C | A |
| | Commercial Wireless Communications Facilities | See Article 7.1 Wireless Communications Facilities | | | | | | | | |
| **General Utilities** - equipment, lines and facilities related to the provision, distribution, collection, transmission, or disposal of potable water, irrigation water, storm water, sewage, oil, gas, power, ground line telephone, data and television. | Electric Power Substation | C | C | C | AC | AC | AC | AC | N | C |
| | Natural gas compressor or odorizer station | AC | AC | AC | AC | AC | AC | AC | N | AC |
| | Potable water treatment and/or storage facility | A | A | A | A | A | A | A | A | A |
| | Utilities distribution (Electric, Water, Gas, Sewer, Storm water, Communications) | AC | AC | AC | AC | AC | AC | AC | AC | AC |
| | Wastewater treatment facility (sewage/reclaimed water) | N | N | N | C | C | C | C | N | C |
| **Power Generation** – facilities and equipment that convert power from carbon based materials or other fuels, wind, the sun, water flow, etc. | Power generation facilities primarily serving uses off-site, such as windmills, solar farms, water or fuel based generation | C | N | N | C | C | C | C | N | C |
| | Power generation facilities primarily serving uses on-site (e.g. solar, wind) | AC | AC | AC | AC | AC | AC | AC | N | AC |
| **Transportation Related** - facilities involved with the movement of people or freight, storage, sorting, loading and unloading of packages and freight, servicing and fueling of transportation vehicles. | Airport | N | N | N | N | N | N | N | N | N |
| | Freight / truck terminal | N | N | N | N | N | N | N | N | N |
| | Helipad/Heliport | N | N | N | C | C | C | C | N | N |
| | Park and ride lot | C | N | N | C | C | C | A | N | N |
| | Parking Lot,Commercial primarily serving needs of offsite uses within the SRP-MIC | N | N | N | C | C | C | C | N | N |
| | Parking Lot, Public primarily serving needs of offsite uses within the SRP-MIC | N | N | N | A | A | A | A | N | N |
| | Transit passenger terminal, Bus station, Train depot | N | N | N | C | C | C | A | N | N |

| Table 4.1 Land Use Table | **Key: A** – Allowed; **AC** - Allowed with conditions; **UR** - Requires a Use Review; **C** – Requires Conditional Use Permit; **N** – Use is prohibited. See Section 4.2.1.A for descriptions. | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| **GENERAL LAND USE CATEGORY** | **PRINCIPAL USE** | **ZONING DISTRICTS** | | | | | | | | |
| | | AR[1] | C1 | C2 | C3 | MB[3] | LI[3] | AP[1] | OS | NR |
| | | | | | | | | | | |

1. Intended uses for Community members and residents by or on behalf of the SRP-MIC government. See Chapter 3.
2. "Self-service storage warehouse and outdoor vehicle storage" legally existing in C-3 shall be an allowed use until January 2024 at which time such uses shall become nonconforming (see SRO-89-84).
3. Building footprint size restrictions apply in MB & LI. See table 3.5 & Table 3.6 (A building footprint over 200,000 sq. ft. requires a Conditional Use Permit)

# *Article 4.2 Specific Use Standards*

## *Section 4.2.1 General Provisions*

A. Uses designated as "AC" in the Land Use Table are permitted if they:

1. Conform to the applicable standards in other chapters of this ordinance, all legal requirements, and with the conditions listed in Table 4.2.
2. Are approved through the applicable approval process in Chapter 2 prior to establishment.

B. Uses designated as "AC*" in the Land Use Table require a land use and environmental review in accordance with Section 4.1.2.

C. The Specific Use Standards in Table 4.2 apply to both primary and accessory uses.

D. Uses that do not meet the Specific Use Standards in Table 4.2 may be approved through the Conditional Use Permit process.

| Table 4.2 Specific Use Standards |
|---|
| **AGRICULTURAL** |
| **Feed store, Agricultural supply store, Saddle or tack shop**<br>1. Storage facilities shall be situated to the rear of the site.<br>2. Outdoor display shall conform to Section 6.3.9.<br>3. Access shall be directly from an arterial or collector road. |
| **Pasturing of Livestock**<br>1. Livestock shall be within fenced areas for any pasturing operations.<br>2. Land owner written consent is required on lands other than land belonging to the owner of the animals.<br>3. Best management practices shall be applied to management of the land and animals. |

## Table 4.2 Specific Use Standards

**Produce stand**

1. A special use permit is required for a seasonal produce stand.
2. Sites shall have direct access from arterial or collector streets and shall provide on-site parking in accordance with parking requirements and standards in Article 6.7.
3. Driving surfaces shall be dust-proofed subject to SRP-MIC legal requirements and review and approval by CDD staff.
4. Sites shall conform to applicable outdoor sales standards in Section 6.3.9.
5. Signs shall conform to regulations for temporary uses in Sections 6.9.13 and 14. Signs for seasonal use shall only be displayed during the season when the use is in operation.
6. Within two (2) weeks of the closing of the business for that season all temporary structures must be removed and the site returned to essentially the original condition and appearance.
7. Merchandise offered for sale shall be either primarily locally grown produce (preferably grown within 150 miles of the site) or minimally processed fruit, vegetable and food products (e.g., dried fruit, jerky, nuts, preserves, and canned or pickled produce). Sale of arts and handcrafted items are permitted as an accessory.

**RESIDENTIAL**

**Home occupation and related accessory building(s)**

1. Home Occupations are permitted as an accessory use to a dwelling to allow businesses that, by the nature of the business, can be operated in a residential setting with minimal disturbance to or impact on the adjacent uses or surrounding residences.
2. The home occupation shall be owned and operated by a full time resident of the home.
3. Employees.
   a. Only persons residing within the dwelling used for the home occupation shall work at the home occupation site.
   b. Additional individuals may be employed by, or be associated with, the home occupation, if they do not report to work or assemble in groups for meetings at the home on a regular basis.
4. Buildings and Structures.
   a. The building(s) and improvements shall maintain a residential character and appearance.
   b. The home occupation shall not result in any structural alterations or additions to a building that would change its principal use or building code occupancy classification.
   c. Building use and structure(s) shall conform to the requirements of a residential occupancy or residential use in accordance with the adopted building codes.
   d. The home occupation shall be restricted to lawfully-constructed buildings. All utility services and connections used by the home occupation must be adequate to safely accommodate the equipment used.
   e. The home occupation shall not violate any prior conditions of development approval applicable to the site.
   f. Products produced by the home occupation shall not be displayed in view of a public street except in cases where such display is specifically permitted by this ordinance or by a special use permit.
5. Storage.

## Table 4.2 Specific Use Standards

a. Materials related to the home occupation shall not be stored within the front or street side yard setback and shall be screened by landscaping or an opaque fence or wall so as not to be visible from off the home site.

b. On-site storage and use of hazardous materials (including toxic, explosive, noxious, combustible or flammable) beyond those normally incidental to residential use is prohibited.

6. Site improvements and signs shall conform to regulations in Chapter 6 applicable to residential uses regardless of the zoning district in which the home occupation is located.

7. Activity related to the home occupation that causes disturbance to the neighboring properties, including the creation of noise, odors, vibration, smoke, dust, heat, glare, or electrical interference or fluctuation is not permitted.

8. Vehicles, Parking and Traffic.

   a. The dwelling site shall have adequate driveway access to facilitate expected delivery vehicles and to permit loading and/or unloading in a safe manner that does not disrupt or impede traffic.

   b. Adequate parking for any vehicles related to the home occupation shall be provided on-site.

   c. Vehicles related to the business that cannot be easily stored on the home site without changing its residential character shall not be stored on the home site (e.g., large trucks or more than two commercial vehicles). All vehicles shall be parked on a hard surface.

   d. The home occupation shall not generate more than six (6) additional trips to or from the home per day or serve more than three (3) clients at one time.

9. Deliveries to the home occupation by commercial vehicles should not occur before 8 a.m. or after 6 p.m.

10. Prohibited Uses. A home occupation shall not include uses that require a conditional use permit.

**COMMERCIAL / RETAIL SALES / SERVICE TRADES**

**Pet Day Care**

1. Structures shall be soundproofed or arranged to provide a sound barrier to adjoining properties or tenants so that no animal noise above 40 dBA is audible at the site boundary. No continuous or repetitious audible noise, such as barking, is permitted.
2. All animal waste shall be handled in a manner that prevents all discernible odors at the boundary of the site or tenant space.
3. All areas occupied by animals shall be kept free of waste and in a sanitary condition.
4. Outdoor pens are not allowed; animals are kept indoors.
5. Overnight boarding is not permitted.

**Veterinary clinic**

1. Structures shall be soundproofed or arranged to provide a sound barrier to adjoining properties or tenants so that no animal noise above 40 dBA is audible at the site boundary. No continuous or repetitious audible noise, such as barking, is permitted.
2. All animal waste shall be handled in a manner that prevents all discernible odors at the boundary of the site or tenant space.
3. All areas occupied by animals shall be kept free of waste and in a sanitary condition.
4. Outdoor pens are not allowed; animals are kept indoors.
5. Only animals required to be under medical care of the veterinarian shall be boarded overnight at the facility, otherwise the overnight boarding is considered a kennel and requires a conditional use permit.

## Table 4.2 Specific Use Standards

**Day care center (children or adult)**

1. Sites shall be designed so that all pick-up and drop-off areas allow users to directly access entrances without having to cross any parking lots, drive aisles or driveways.
2. Adequate queuing lanes and loading and unloading areas shall be provided for drop-off and pick-up.
3. Vehicular access and circulation shall be designed to minimize the impact on abutting residential uses.

**Day care - home based (children or adult)**
Shall comply with all regulations applicable to a “Home occupation,” except for Part 8.d.

**Garden Center**

1. Site layout, building design and all permanent outdoor display areas and site improvements shall be as shown on plans to be approved through the Development Review and construction permitting processes.
2. Permanent outdoor storage and/or display of inventory such as, sacked or palette goods and hard goods and outdoor work areas shall be screened in accordance with Section 6.3.9.
3. Temporary outdoor display of palette goods or hard goods shall be returned indoors or shall be within a secured area and screened in accordance with Section 6.3.9.
4. Plants displayed for sale shall be within a secured area during nonbusiness hours.

**Building, landscape or construction materials**

1. Site layout, building design and all permanent outdoor display areas and site improvements shall be as shown on plans approved through the Development Review and construction permitting processes.
2. All materials shall be stored in secured enclosure to help prevent theft.
3. Storage of inventory materials shall be screened in accordance with Section 6.3.9.

**Drive-through sales or service** (for bank, pharmacy, dry cleaner, restaurant, etc.)

1. Drive-through is not allowed in the MB or LI except for banks.
2. Drive-through lanes are preferred to be located interior to the site and not along streets. When interior configuration is not feasible, and a drive-through lane is placed next to a street, base planting for the restaurant is required to be placed on the outside of the drive-through lane and is not inclusive of the required landscape setback from the street. Drive throughs and queuing lanes require screening in accordance with Section 6.3.9.
3. Access to drive-through facilities shall be designed to minimize conflicts with internal vehicular drives and circulation, pedestrian walkways and areas of high pedestrian movement.
4. Vehicles queued in drive-through lanes shall not block access to main drive aisle and parking areas for other uses.
5. Drive-through lanes shall be no wider than necessary to accommodate passenger vehicle turning radius.
6. Menu boards shall:
   a. Be fully screened and oriented away from view and screened using masonry walls or berms and landscaping.
   b. Not be excessively illuminated causing light trespass in excess of that permitted in the lighting zone.
7. Drive-through at the point of sale or service shall be under a roof or canopy that is fully integrated with the architecture of the primary building or structure. Maximum clearance below the canopy or roof shall not exceed sixteen (16) feet.

| Table 4.2 Specific Use Standards |
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| 8. Where the drive-through lane abuts or is within a building base area, the required building base area landscaping shall be provided outside of the drive-through lane.<br>9. Pneumatic tubes, whether metal or plastic, shall be either enclosed in pilasters, columns or other architectural features of the canopy or building, or routed underground. |
| **Farmers market or Flea market (without permanent facilities)**<br>1. A special use permit is required (permanent facilities require a Conditional Use Permit).<br>2. Sites shall provide parking in accordance with parking requirements and standards in Article 6.7. Written agreement between owners/lessees is required for use of shared parking.<br>3. All driving surfaces shall be dust-proofed subject to SRP-MIC legal requirements and review and approval by CDD staff.<br>4. Sites shall conform to applicable outdoor sales standards in Section 6.3.9.<br>5. Signs shall conform to regulations for temporary uses in Sections 6.9.13 and 14.<br>6. All temporary structures shall be removed and the site returned to the original condition and appearance upon termination of the use.<br>7. Adequate sanitation and trash facilities shall be available to patrons.<br>8. All vendors shall maintain a valid SRP-MIC business license posted on site.<br>9. Access to site is subject to Community review and approval to ensure safe turning movements for ingress and egress traffic and on-street traffic. |
| **Mobile Vendor**<br>1. Mobile vendors are subject to an approved special use permit.<br>2. All mobile vendors shall maintain a valid SRP-MIC business license which shall be available for inspection while in the SRP-MIC.<br>3. Shall only locate on private property with written permission of the landowners or person in control of the property.<br>4. Shall have at least one (1) parking space per vendor that is not required for other uses on the site per Article 6.7.<br>5. Shall not obstruct access drive aisles or parking spaces required by this ordinance for other uses on the site.<br>6. All driving surfaces shall be dust-proofed subject to SRP-MIC legal requirements and review and approval by CDD staff.<br>7. Signs shall be limited to those permanently attached to the mobile vending vehicle or those described in Section 6.9.13 and 14. One freestanding menu board not exceeding twelve square feet and not more than six (6) feet in height is also allowed with a sign permit.<br>8. If located on a vacant lot, mobile vendors shall be considered a primary use and are subject to all of the district regulations relating to users, except that the landscaping requirements of Article 6.3 shall not apply.<br>9. No mobile vending unit shall:<br>a. Be placed within fifteen (15) feet of any street right-of-way.<br>b. Be placed within one hundred and fifty (150) feet of the intersection of any arterial or collector streets or on or off-ramp of a freeway and the street to which the ramp connects. |
| **Auto/light vehicle rental**<br>1. Parts 1 through 3 of “Fleet Services” shall apply. |

| Table 4.2 Specific Use Standards |
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| 2. One sample of different type or size vehicles, trailers or boats available for rent may be displayed in designated areas on the site in view of streets.<br>3. Inventory shall be screened in accordance with Section 6.3.9. |
| **Fleet Services and Maintenance Shop (Applies to Auto/Light vehicle and Commercial/Heavy vehicle land use categories)**<br>1. All maintenance and repair work shall be completed within an enclosed building.<br>2. Bay doors and storage areas for vehicles scheduled for maintenance or repair shall be screened from view from streets and adjacent properties in accordance with Section 6.3.9.<br>3. All bays shall have closeable doors.<br>4. Inoperable or damaged vehicles not scheduled for maintenance or repair shall not be stored on site. |
| **Service Station**<br>1. Fuel pumps shall be no closer than fifty (50) feet from street rights-of-way or street easements.<br>2. Filling areas and queuing lanes shall be screened in accordance with Section 6.3.9.<br>3. Amplified communication and audio systems shall conform to the applicable noise standards at the site boundary.<br>4. Fuel pump canopies:<br>a. The total height of the canopy shall not exceed eighteen (18) feet unless specifically designed for semi-trailer truck fueling.<br>b. The fuel pump canopy shall be at least one hundred (100) feet from property currently used or zoned for residential use.<br>c. Canopies shall be designed consistent with the building architecture.<br>d. All canopy lighting shall be recessed into the canopy roof. |
| **STORAGE, WAREHOUSING & WHOLESALING** |
| **Indoor office-storage facility**<br>1. Storage is limited to storage used by businesses for storage of office materials related to the business such as files, small office equipment, and office supplies. No personal storage allowed.<br>2. Multi-unit storage facilities serving more than one business shall have an attendant onsite during the hours the storage facility is accessible to the individual users. Single unit facilities (for one user) are not required to have an attendant onsite. |
| **Showroom in conjunction with a permitted use**<br>1. Not to exceed 35 percent of its gross floor area of the tenant space.<br>2. Showroom may be for display of products to be ordered or purchased on the site.<br>3. The use may include delivery of items as a routine and regular part of conducting business, but does not include large scale warehouse-style retail outlets that routinely hold large inventories.<br>4. No outdoor storage or business activities allowed. |
| **Collection facility for recyclable materials or donated articles as a secondary use (outdoor)**<br>1. Collection facilities for recycled or donated items are only permitted with a special use permit and shall comply with all conditions of the permit.<br>2. All materials shall be stored within a closeable container preferably adjacent to a building service area. |

| Table 4.2 Specific Use Standards |
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| 3. No hazardous wastes shall be collected or stored except in compliance with applicable SRP-MIC government regulations.<br>4. The site shall be free of loose materials and trash.<br>5. Loading and unloading areas shall not disrupt vehicular circulation or access to parking spaces or drive aisles.<br>6. No part of the facility, including loading or unloading areas or queuing lanes, shall be within a street right-of-way or street easement. |
| **UTILITIES AND INFRASTRUCTURE** |
| **Amateur radio antennas (up to 35 feet in height)**<br>1. Amateur radio antennas for non-commercial use are permitted in all zoning districts subject to the following standards:<br>a. Antenna structures are allowed up to thirty-five (35) feet in height.<br>b. Antenna structures, including support structures or guide wires, shall:<br>1) Not extend into required setbacks for the zoning district in which it is located.<br>2) Be located in the rear half of the site.<br>2. When a Federally Licensed Radio Amateur no longer occupies the subject property, all approvals shall become void and the antenna structure shall be removed. |
| **Commercial Transmitting/Receiving Facilities**<br>1. Facilities required to be elevated shall be co-located with other tower-mounted equipment or placed within other tall structures whenever possible.<br>2. Facilities mounted on structures shall be screened from view and/or be integrated into the design of the structure including use of architectural features to reduce the visual impact to the extent possible.<br>3. Large ground mounted receiver dishes shall conform to all setback and height limits and shall have a perimeter landscape buffer and be screened in accordance with Section 6.3.9. |
| **Electric Power Sub Station**<br>1. All equipment shall be screened by a decorative wall along with landscaping in accordance with 6.3.9.<br>2. Sites shall not be located within three hundred (300) feet of a K-12 school or existing residential use. |
| **Natural Gas Compressor Station or odorizer station**<br>1. All equipment, such as compressors, shall be enclosed and screened on any sides exposed to view from a street.<br>2. No noise, vibration or odors shall be detectable at site perimeter. |
| **Utilities distribution** (Electric, Water, Gas, Sewer, Storm water, Communications and other services)<br>1. All electric transmission lines distributing 12 kV or less shall be underground.<br>2. Transformers, meters and ground mounted utility boxes shall be screened in accordance with Section 6.3.9.<br>3. Equipment such as back flow preventers shall be within protective covers compatible with the surrounding landscape and shall not be placed in pedestrian walkways. |

| Table 4.2 Specific Use Standards |
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| 4. All lines and equipment related to service distribution shall be located with an easement or right-of-way except for individual customer service lines and equipment.<br>5. Utility easements, corridors or alignments are not exempt from the landscape requirements of Chapter 6.<br>6. Storm water facilities shall be integrated into the site design as a secondary use to the extent possible and shall not diminish the appearance or function of the primary use except during storm events. See Chapter 6 and SRP-MIC Design Standards and Policies.<br>7. All above ground facilities shall be integrated into the site or street landscaping and/or be landscaped to improve appearance. Any screening, security walls or fencing shall be subject to Section 6.3.9 and require administrative Development Review approval.<br>8. Utility boxes permitted within a ROW shall not be located within the landscape setback radius at any major intersection or within visual clear zones of any intersection. |
| **Power generation facilities primarily serving uses on-site**<br>1. If on a site with other uses, the equipment shall be integrated into the site or structures to minimize visual impacts.<br>a. Equipment shall be screened from view in accordance with Section 6.3.9.<br>b. When used as shade over parking, walkways, or windows the design shall be integrated into the architecture of the structure.<br>c. When mounted on a structure, any mounting fixtures or support structures related to the equipment shall match the color and appearance of the primary structure when visible from off site.<br>2. The installation shall receive Development Review approval prior to issuance of a building permit.<br>3. Designs that serve a secondary purpose, such as providing shade over parking, roofs or windows, are highly encouraged.<br>4. Single family residential uses are exempt from the requirements of parts 1 and 2 above.<br>5. Offsite impacts such as noise, fumes, smoke, heat, glare, vibration or electromagnetic static shall be mitigated.<br>6. Equipment shall be situated or treated so as not to cause reflected glare on adjacent properties. |

## *Article 4.3 Conditional Use Standards*

This Article establishes additional standards that apply to certain uses that require a Conditional Use Permit.

### *Section 4.3.1 General Provisions*

A. Uses designated as “C” in the Land Use and that are listed in Table 4.3 are permitted if they:

1. Conform to the applicable standards in other chapters of this ordinance and with the conditions listed in Table 4.3.
2. Are approved through the Conditional Use Permit approval process described in Chapter 2 prior to establishment and meet any conditions added or modified by Council to the Conditional Use Permit.
3. Meet the Conditional Use Standards in Table 4.3, which apply to both primary and accessory uses, unless specifically modified by Council in the conditions for the Conditional Use Permit.

| Table 4.3 Conditional Use Standards |
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| **AGRICULTURAL** |
| **Apiary and honey extraction**<br>1. Adequate fresh water supply available for the bees shall be available on the subject property at all times.<br>2. The location shall not be less than two hundred (200) feet from any public road, street, highway or freeway, residence, or other occupied building other than that of the property owner or occupant of said property except with the written permission of the affected occupants. |
| **Composting (commercial for sale)**<br>1. Shall not exceed twenty-five (25) acres. Larger sites may be approved through the conditional use permit process.<br>2. Access to and from the site shall be from an arterial or collector road. Circulation by delivery trucks shall be facilitated in a safe manner and by forward motion of the vehicles.<br>3. Storm water runoff from compost operations and materials shall be retained on the site.<br>4. Dust or blowing particles shall be controlled at all times.<br>5. Chipping and grinding activities shall conform to noise and vibration requirements of the zoning district.<br>6. Driveways and parking areas shall be of compacted road-base or a surface that will create a mud and dust free surface.<br>7. Employees shall be trained in the identification of prohibited materials.<br>8. Prohibited Materials. The composting or inclusion of the following materials is prohibited:<br>a. Unprocessed mammalian tissue, including, but not limited to, flesh, organs, hide, blood, bone and marrow.<br>b. Medical waste or medicines of any type.<br>c. Hazardous waste materials including household hazardous waste.<br>d. Animal waste.<br>e. Food products containing or mixed with any animal products.<br>9. Exclusions. Activities excluded from these requirements include:<br>a. Composing facilities in conjunction with activities that have a permit that address composing activities, such as a publicly operated landfill, waste treatment facility or biomass conversion facility.<br>b. Noncommercial composting of less than five cubic yards of food scraps and vegetative material if all compostable material is generated and used on-site. |
| **Farm Center**<br>1. This use shall only serve agricultural operations that are located within SRP-MIC.<br>2. Driveways and parking areas shall be of compacted road-base or a surface that will create a mud and dust free surface.<br>3. Inoperable or obsolete equipment or equipment not used for operations within the SRP-MIC shall not be stored on the site.<br>4. Chemicals and fertilizers shall be stored within a lockable structure or in a secure tamperproof manner.<br>5. Structures used for storage of fertilizer, chemicals or fuel shall be well ventilated. |

**Maintenance/repair, rental shop, for agricultural equipment (as a business)**

1. Only equipment scheduled for repairs shall be stored on site.
2. Work on small equipment shall be within buildings.
3. Bay doors shall not directly face onto streets.
4. Development Review approval is required for all improvements or modifications.
5. Within the Agricultural / Low Density Residential land use area:
   a. Repair or maintenance is limited to equipment used within the SRP-MIC.
   b. A landscape buffer shall be provided between the site and any abutting property that is used for purposes other than agricultural.
   c. Wrecked or obsolete equipment or for equipment for sale shall not be stored on the site.
6. All driveways and outdoor storage areas shall be on compacted road-base or other surface that will reduce dust emissions and create an all-weather surface free of mud.

**Open Grazing of Livestock**

1. On lands owned by the Community, users shall comply with the practices and requirements as established by CDD/EPNR for the purposes of managing grazing in a way that protects the resources of the Community and is fair to all users.
2. Land owner written consent is required on lands other than land belonging to the owner of the animals.

**INDUSTRIAL**

**Mining, extraction, processing, storage and sale of extracted materials**

In addition to the regulations of Chapter 17 of the Code of Ordinances, mineral extraction shall conform to the following:

1. Restoration Plan. Prior to beginning work on a site, and as part of an application for a conditional use permit, a restoration plan for the site shall be submitted for review and approved by the CDD EPNR Division.
   a. Restoration plans shall include phasing, improvements, and time of completion and cost estimates for all restoration work.
   b. A non-revocable letter of credit may be required for use by the SRP -MIC for the completion of the restoration if the restoration is not completed to the agreed -upon level and on the agreed upon schedule according to the approved restoration plan.
2. Noise Suppression. All equipment and premises employed in conjunction with any of the uses in this zone shall be constructed, operated and maintained to suppress noise and vibrations affecting adjoining properties.
3. Roads.
   a. Internal circulation roads shall be paved or shall have an all-weather surface such as road base and be kept in a dust and mud free condition or wetted during use or treated with an approved dust palliative to prevent the emission of dust.
   b. All private access roads leading off any paved public street onto property used for any purpose permitted in this zone shall be paved with asphaltic concrete or equal for at least the first one hundred (100) feet of the access road.
4. Air and Water Pollution. All operations shall be conducted in compliance with all legal requirements or performance standards of the SRP -MIC.
5. Slopes of Excavation. No production from an open quarry shall create a slope steeper than one (1) foot horizontal to one (1) foot vertical, unless a steeper slope is specifically approved by the engineering and construction services department for areas where the soil content or material is such that a steeper vertical cut excavation is safe.

6. Screening and Fencing.

   a. A dense landscape screen a minimum of twenty (20) feet in width and having a minimum height of six (6) feet at the time of planting shall be planted on the perimeter of the site, if:

      1). The operations are visible from and within six hundred (600) feet of an arterial or collector street.

      2). The operations are visible from and within six hundred (600) feet of a commercial zoning district, an existing dwelling or a planned home site.

   b. The boundaries of the work area shall be enclosed by a fence located behind the landscape screen, except where the fence would be impracticable as in the bed or flood channel of a wash or watercourse. The fence and required gates shall be at least six (6) feet in height.

7. Ponding. Where practicable, all excavation operations shall be conducted in a manner that prevents unnecessary ponding or accumulation of storm or drainage water.

8. Restoration. The restoration shall begin automatically starting on the date the mineral resource is determined to be depleted or at the time stated on the conditional use permit or other approval and the site shall be restored per approved restoration plans in conformance with any required time frames.

# *Chapter 5* Overlay Districts

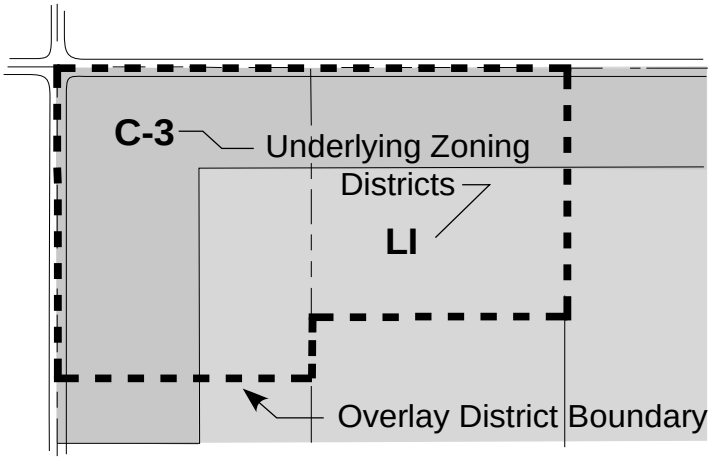
## *Article 5.1 General Provisions*

### *Section 5.1.1 Purpose*

A. The purpose of an overlay district implements the General Plan by addressing specific areas of the Community that have unique qualities, characteristics, or opportunities, such as:

1. Locations that may accommodate specific development of a specialized type or higher quality, intensity or different character than that envisioned in the underlying zoning district.
2. Areas with desirable characteristics that require measures for preservation such as scenic qualities sensitive to visual impacts, unique plants, and the habitat of desired or endangered species.
3. Areas important to the culture of the Community, meaningful spiritual places, or with important archaeological features.
4. Areas that impose a danger to property or the general health and welfare due to natural hazards such as floods, wildfire or unstable soils.

B. Overlay districts are not intended to be used to remove regulations without providing alternative, equally desirable development standards that ensure land use compatibility and quality urban design that meet the Community's economic development objectives.




An overlay district modifies the underlying zoning district(s) that are within its boundary and is shown on the Zoning Map.

### *Section 5.1.2 Establishment*

A. The establishment of an overlay district shall follow the Zoning Map Amendment procedures described in Article 2.7 of this ordinance.

B. All overlay district ordinances shall include:

1. Information that describes the intended results, the qualities being addressed, the purpose(s) of the overlay district and what it will accomplish.
2. The applicable land use regulations and development standards in response to the intent, qualities being addressed and purpose(s) of the overlay district.
3. The geographic boundaries defining the area within the overlay district.
   a. The geographic boundary of an overlay district may include part of one or more zoning districts, a specific development, or an area of the Community with any number of separate developments and/or zoning districts.

b. Overlay district boundaries shall comply with the same provisions as other zoning district boundaries in Section 3.1.4.

### *Section 5.1.3 Effect and Applicability*

A. An overlay district implements the intended response to the unique qualities, characteristics and goals of the area as recognized by the Community and has the following effects:

1. All development within the geographic boundary of any overlay district is subject to the provisions of the overlay district ordinance and those of the underlying zoning district.
2. Overlay district provisions may:
   a. Modify the general development standards, general district development standards, zoning district standards or regulations applicable to the underlying zoning district.
   b. Modify the type and/or intensity of uses permitted in the underlying zoning district(s).
   c. Provide specific use standards, conditional use standards and/or development standards for specific uses, in addition to those of the underlying zoning district(s).
   d. Establish applicable required standards and regulations not addressed in this ordinance.
3. An overlay district:
   a. Does not change or diminish any applicable standards or regulations of this zoning ordinance, except as specifically stated in the overlay district ordinance, and only affects the areas of the underlying zoning district(s) within the overlay district boundary.
   b. Where the overlay district regulations differ from those of the underlying zoning district, the overlay district regulations shall control.
4. An overlay district may overlap other overlay districts, however, Planned Development (PD) overlay districts shall not overlap another Planned Development overlay district.
   a. When a proposed overlay district overlaps an existing overlay district the ordinance establishing the proposed overlay district shall indicate which district shall control.
   b. When two overlay districts overlap and no one district has been established as the controlling district the Zoning Administrator shall determine which district shall control.

### *Section 5.1.4 Overlay District Administration*

An overlay district is administered as follows:

A. **Amendments.** Text amendments to overlay districts shall be made as described in Article 2.8. Amendments to the boundary of an overlay district shall be made as described in Article 2.7.

B. **Variances.** Variances to an overlay district's regulations and standards shall follow the process in Article 2.10 or Article 2.11, as applicable.

C. **Development.**

1. All development within any overlay district is subject to the same review and approval processes required for development applicable to the underlying zoning district and any processes established by the overlay district.
2. All improvements within an overlay district shall be consistent with this ordinance, the regulations applicable to the underlying zoning district, SRP-MIC Design Standards and Policies, and the SRP-MIC legal requirements, except as specifically modified or addressed by the overlay district.

## *Article 5.2 Planned Development Overlay District (PD)*

### *Section 5.2.1 Purpose*

A. The purposes of a PD district are to:

1. Accommodate innovative development that exceeds the quality achievable using the applicable underlying zoning district and/or general development standards.
2. Establish development standards that address unique, positive characteristics of the area not otherwise addressed by this ordinance.
3. Allow a specialized mix of land uses for a specific development project that will produce better outcomes for the Community than using the underlying zoning district alone.
4. Provide flexibility needed to accommodate a unique, high quality developments or mixes of land uses.
5. Facilitate development that is significantly more environmentally sustainable than typical.
6. Protect and/or preserve natural or archaeological resources, view sheds, habitat areas, natural features, hillsides, wetlands or other environmentally sensitive areas.
7. Create more livable neighborhoods for Community members or accommodate a broader variety of housing types and densities.

B. A PD District shall not be used to modify standards or add uses that reduce the quality and compatibility of development required in this ordinance.

### *Section 5.2.2 Establishment*

A. A PD district is a zoning map amendment and shall be established in conformance with Article 5.1.

B. The applicant shall demonstrate to the satisfaction of the Community Council that:

1. Long-term Community benefits are derived, and the vision, goals and policies of the General Plan and of the Community are best achieved by the proposed PD district.
2. The PD district is consistent with the purposes described in Section 5.2.1.

*The intent and purposes related to different PD districts may vary considerably. Each application is reviewed on its own merits. Approval of one PD district does not justify approval of another.*

*A PD District is for zoning only and not to be confused with Chapter 15.1 – Taxes, Code of Ordinances.*

C. **Minimum Size.** PD districts shall be a minimum of ten (10) acres.

D. **Underlying Zoning Districts.** Each PD district shall be based upon one or more zoning districts as established in Chapter 3 of this ordinance. These underlying zoning districts may be those existing on the site at the time the PD is proposed or established as part of the PD district ordinance.

E. **Modification to Development Standards.**

1. Development standards of this ordinance may be modified for areas within the PD district to meet the specific intent of the PD only if the applicant provides information demonstrating that:
   a. The modification is consistent with the goals and policies of the General Plan, the Community and the purposes of this zoning ordinance.
   b. Community benefits and/or amenities provided will exceed those provided by existing standards.
   c. The modification will produce a better quality development than would otherwise result from compliance with applicable existing Community standards.
   d. The modification is consistent with, and necessary to implement, the intent and purpose of the PD.
   e. Any negative impacts from the proposed modifications on properties adjacent to or within the PD are minimized and adequately mitigated.
   f. The modifications shall comply with all legal requirements of the SRP-MIC.

g. Any impacts on the provision of public services or utilities are adequately addressed.

h. Deviation from development standards of this ordinance is not primarily to lessen the cost of development or to increase developable area of the site.

2. Except as specifically modified by the PD ordinance, uses within Planned Developments shall comply with the applicable provisions of the zoning ordinance.

F. **PD Ordinance.** An ordinance establishing a PD district shall include:

1. A statement of the intent and purpose(s) of the PD district, how it meets the goals expressed in the Community's General Plan in the proposed location, and why it is superior to the current zoning districts and standards.

2. Legal descriptions and a map of the boundaries of the PD district and of the underlying zoning district(s).

3. Master Plan.

a. A Master Plan shall be provided of the PD development showing:

1). The location of underlying zoning districts.

2). The pattern of development, vehicular and pedestrian circulation within the development, and coordination with adjacent existing or potential development.

3). Conceptual plans of drainage, on-site and off-site improvements, utilities and any phasing of the development improvements.

4). The general location of any land uses and any mitigation measures necessary to make the uses compatible with the other uses on the site and on neighboring abutting sites.

b. Any substantial amendment to the PD master plan requires Community Council approval as determined by the Zoning Administrator.

4. Proposed Modifications:

a. If proposed, development standards that are modifications to the development standards of the underlying zoning district(s).

b. If proposed, a limited list of new land uses to be added or removed from the uses allowed in the underlying zoning district as identified in Land Use Table 4.1.

1). The purpose of this provision is to provide a unique mix of land uses for a timely specific development, rather than speculative development, and not to create a new zoning district significantly different than the underlying zoning district.

2). Identify land use permissions (allowed, allowed with conditions, Conditional Use Permit, etc.) for an added land use using the permissions identified in the more restrictive zone identified for the use in Table 4.1 or in the case of new uses, the permissions of the most analogous or similar use in Table 4.1 as determined by the Zoning Administrator.

3). Definitions of any uses within the PD not defined or analogous to another use in this zoning ordinance, as determined by the Zoning Administrator.

c. All proposed modifications to SRP-MIC Design Standards and Policies applicable to the development and/or to the underlying zoning districts.

d. Written justification for the proposed modifications.

5. Amenities. A description of all proposed public and private amenities.

6. Illustrative materials.

a. Relevant materials representing and illustrating proposed concepts for architecture, landscaping, sustainability measures and site improvements at a level of detail adequate to enable the Community to evaluate the PD's proposed character, design, quality, and

development standards, and its appropriateness as it relates to the surrounding area and the Community's General Plan goals.

b. The development of the PD shall be substantially consistent with the illustrative materials approved with the PD.

# *Article 5.3 Floodplain Overlay District (FP)*

## *Section 5.3.1 Purpose*

The purpose of the FP overlay district is to:

A. Protect the public health, safety and general welfare in those areas of the Community that are known or found to be subject to periodic flooding and accompanying hazards resulting from surface runoff of rainfall.

B. Prohibit occupancy or encroachment of any structure, improvement, or development that obstructs the natural flow of flood waters within a designated floodway in identified floodplains and to keep development in the remainder of the floodplain above the design flood flow elevation.

C. Facilitate development in conformance with Floodplain and Storm Drainage Ordinances of the SRP-MIC government Chapter 17.5 – Floodplain and Drainage, Code of Ordinances.

## *Section 5.3.2 Establishment and Applicability*

A FP overlay district shall comply with Article 5.1 and shall:

A. Include areas identified as having a special flood hazard based upon approved engineering studies and reports or areas known to be susceptible to flooding due to historical data, high water marks, and photographs of past flooding, where other data or studies are not available to determine the FP district.

B. Establish a FP boundary including identification of any floodway and/or floodplain, high flood water and design flood flow elevation and regulations applicable to the specific location(s) indicated in the report.

## *Section 5.3.3 Permitted Uses within an FP overlay district*

A. The types of uses and their specific location are subject to review and modification based upon an engineering report of the subject area.

B. Areas determined to be undevelopable due to flood hazard are included in the Floor Area Ratio or residential density calculations applicable to the site when the area subject to flooding is improved as an open space amenity to development and/or the Community.

C. Uses permitted in the floodplain and floodway. Uses permitted in the underlying zoning district or overlay district are permitted within a flood plain overlay district, except:

1. Uses specifically prohibited by the flood plain overlay district.
2. Uses that involve fill or grading that would inhibit or redirect the water flow through the floodplain unless specifically approved for flood prevention or drainage control.

## *Section 5.3.4 General floodplain development criteria*

Proposed development and use of sites within a FP overlay district or in areas know to be susceptible to floods shall conform to the following:

A. Prior to approval of development application or building permit:

1. The applications must comply with the recommendations, limitations, and standards in the engineering reports adopted as part of any applicable floodplain overlay district or provided with a development proposal and other legal requirements.
2. In areas known to be susceptible to flooding for which a FP district has not been established or for which flood elevation data does not exist, an engineering study and report providing

the base flood elevation, velocity, duration, rate of rise, and sediment transport of the flood waters expected shall be provided. The report may include other evidence available from governmental or private sources acceptable to Engineering and Construction Services Department from which that data may be interpreted.

B. Encroachments into the flood plain shall not increase the danger to life and property due to increased flood heights or velocities.

C. All applicable required permits must be obtained from all relevant governmental agencies.

D. Damage to vegetation in riparian areas that might result from the proposed development shall be prevented. Any areas damaged during construction shall be restored upon completion of the development. For purposes of this policy, "riparian areas" refers to areas within 150 feet measured horizontally from the ordinary high water line of streams and areas in which riparian vegetation is found or would typically be found except due to prior clearing activities.

E. Nonstructural solutions to problems of erosion and flooding shall be used wherever possible. Water erosion control structures, including riprap and fill, shall only be approved where it is demonstrated that they are necessary and the best solution. Wherever possible vegetation shall be used to minimize adverse impacts of water currents, erosion, and accretion patterns.

F. Materials that could be swept onto other lands or downstream causing increased flooding or injury to others shall not be stored in the flood plain.

G. Water supply and sanitation systems shall be designed to prevent disease, contamination and unsanitary conditions during floods.

H. Uses shall be located on sites where flooding or erosion damage is minimized.

I. The proposed use shall be reasonably compatible with existing and anticipated development in the adjacent area.

J. The proposal shall conform to the General Plan and any floodplain management program.

K. Safe access to the property by ordinary and emergency vehicles is available in times of flood.

L. Uses located adjacent to or operate within a floodway shall be limited to those that demonstrate the necessity for such a location, such as: uses that require a waterfront location for operation, uses that provided services that are important to the community, and uses that are part of a mineral extraction operation.

### *Section 5.3.5 Flood Insurance Coverage*

Approval of development within a floodplain/floodway does not imply that the property is safe from flooding or that the owner or person in control of the property does not need flood insurance. Those persons are responsible for obtaining flood insurance and for any consequences resulting from failure to obtain flood insurance.

## *Article 5.4 Pima Corridor Overlay District (PC)*

### *Section 5.4.1 Purpose*

The Pima Corridor overlay district implements the Community's goal of diverse economic development in a location that has minimal impact on the residential area of the Community and that can take full advantage of the regional freeway system. The purpose of establishing view plains within the Pima Corridor to significant sites and locations is to conform to goals and policies of the General Plan and to help maintain the natural beauty of the setting east of the Pima Freeway.

### *Section 5.4.2 Establishment*

The Pima Corridor was established by Community initiative and vote in December 2005. In April 2006, Council clarified the location of the Pima Corridor and this area was subsequently shown geographically on the adopted 2006 General Plan Land Use map. The Pima Corridor Overlay District incorporates the Pima Corridor as shown on the 2006 General Plan Land Use Map and expands it to

include all areas identified in the adopted 2006 General Plan Land Use Map as Commercial Mixed Use. The Pima Corridor Overlay District is depicted on the Zoning Map.

### *Section 5.4.3 Effect and applicability*

A. The Pima Corridor overlay district modifies areas within the underlying zoning district allowing greater intensity of business development by allowing a building height up to a maximum of eighty (80) feet (six stories) and allowing a Floor Area Ratio of 0.45 without a variance with the following exceptions and conditions:

1. The 60-acres of Tribally-owned land comprising the Talking Stick Resort may construct a building up to a maximum of 15 stories in height per voter-approved initiative.

2. Existing or proposed developments located east of the Loop 101 Pima Freeway and north of the Arizona Canal within the Pima Corridor are permitted a height limit of eighty (80) feet (6 stories) and a Floor Area Ratio (FAR) of 0.45 without a variance provided a master plan has been approved by the Development Review process demonstrating that view plains are established and maintained from the Pima Freeway to significant locations as listed below. The Zoning Administration may require a master plan identifying view plains prior to the Development Review process when a development requires approval of a rezoning, Conditional Use Permit or Variance for the development.

   a. Significant sites and locations include the following:

      1). Pima Freeway to Red Mountain.

      2). Pima Freeway to Talking Stick Resort.

      3). Pima Freeway to McDowell Mountains.

      4). Salt River Fields to McDowell Mountains and Talking Stick Resort.

   b. The development master plan shall identify view plains by graphics or other means as required with the development application.

   c. The development master plan shall clearly depict how view plains shall be maintained through the arrangement and massing of buildings, placement of surface parking lots, open space, retention areas, and other significant elements.

   d. The burden for demonstrating significant and effective view plains rests with the master developer.

   e. Significant modifications as determined by the Zoning Administrator, such as changes to the size of an established view plain, shall require processing through the variance process as per Section 5.1.4.B.

View plains are established over surface parking lots, open space, streets, or over structures whose height is low enough and setback great enough as not to encroach within the view plane.

# *Chapter 6* General Development Standards and Regulations

## *Article 6.1 Applicability*

A. The standards and regulations in this chapter apply within all zoning districts in addition to other applicable development standards and regulations in this ordinance.

B. The SRP-MIC Design Standards and Policies (a separate document) is supplemental to the development standards listed in this Chapter and elsewhere in this ordinance.

*The SRP-MIC Design Standards and Policies illustrate the intent of the standards in the zoning ordinance and are used in concert with this ordinance. The design principles and standards in the Design Standards and Policies are used in the review of proposed development.*

## *Article 6.2 Site Planning*

### *Section 6.2.1 Approved Site Plans Required*

Prior to installing any development improvements, site plans showing the proposed improvements shall be approved by the SRP-MIC. All development improvements shall conform to the approved site plan.

A. **Master Plan.**

1. A master plan is required to illustrate the conceptual development of the entire site, such as land use intensity, circulation, drainage, infrastructure and utilities and the relationship to the existing, proposed or potential development on adjacent sites, if at least one of the following is true:
   a. Only a portion of a site or leasehold is proposed for development.
   b. The permitted FAR within the development is proposed to be redistributed to various sites within any contiguous zoning district.
   c. A Planned Development District (PD) is proposed.
   d. A subdivision containing more than two (2) lots is proposed.
   e. The proposed development will require coordination with one or more adjacent sites for provision of infrastructure easement(s) to deliver infrastructure in an efficient way (for example, for street connection or extension of utility services).
2. Master plans and amended master plans are approved through the Development Review process. Typically these plans include the following:
   a. Location and sizing of streets, driveways, utilities, drainage, pedestrian circulation, and open space amenities.
   b. Location of zoning districts, parcels, conceptual buildings and parking lots.
   c. Architectural and landscape design character.
   d. Phasing plan for development.

B. **Final Site Plan.** Final site plans and amended final site plans are required to be approved through the Development Review process prior to construction document review and construction permitting for a development. Final site plans are detailed plans used to determine compliance with zoning ordinance, design standards and policies, and other relevant legal requirements of the SRP-MIC.

C. Recorded easements, agreements or improvements to support utilities, roadways, cross access, drainage, open space or cultural resource conservation may be required to implement the approved master plan or final site plan.

# Article 6.3 Landscaping, Screening and Walls

## Section 6.3.1 Purpose

The Purpose of this Article is to:

A. Establish standards for landscape and open space development.

B. Create a visually pleasing environment that promotes environmental sustainability, the character of the Community and reduction of the heat island effect.

C. Improve the livability and enjoyment of the Community for residents and visitors.

## Section 6.3.2 Applicability

A. This Article applies to installation, removal, maintenance and modification of all landscape and open space improvements on private and public land in all zoning districts.

B. Agricultural uses and single-family residences are exempt from this Article, with the exception of Section 6.3.8.

## Section 6.3.3 General regulations

A. All required landscape areas and all unused areas of a development site, excluding areas for future development, shall be improved with landscaping that meets or exceeds the requirements of this Article.

B. The term “landscaping” includes all plants, mulch and ground covers, irrigation, landscape structures, pedestrian shade structures, hardscapes, sidewalks and walkways, fountains and water features, street furniture, public art, walls, fences and gates up to six (6) feet in height and other approved components and materials used to enhance the appearance of a development and foster the purposes of this Article.

C. The Zoning Administrator may permit or require minor deviations from standards in this Article and may either require more intensive or allow less intensive landscaping in a unique situation when such deviations are better suited to the development and circumstances and will still satisfy the intent of this ordinance for providing adequate shade, buffering, screening and an attractive site and building setting considering the mature size and form and availability of the plant species proposed, as determined by the Zoning Administrator. Any deviations from approved plans require approval prior to planting.

D. The person in control of the property shall design, install and maintain all landscaping and related improvements on the site and within all abutting and internal streets and rights of way, easements in conformance with approved plans.

E. **Tree and landscape preservation, salvage and protection.**

1. All native trees and cacti identified as salvageable shall be preserved.
2. No existing live trees or cacti may be felled or removed from a site, whether for development or maintenance, except as authorized by the Community and/or in conformance with an approved environmental review or development review application.
3. A plant survey shall be completed to the edge of the development property identifying existing plants to be preserved in place or salvaged for replanting on the site. The survey shall be submitted with the environmental review or Development Review application, whichever occurs first.
    a. The survey must include an inventory list with plant identification tag number, species, size, condition, location and salvage status. If a plant is identified as non-salvageable, the reason for the evaluation must be noted. Plants to be removed or salvaged shall be identified and included on a landscape plan.
    b. The survey must include a salvage plan, for how the trees and cacti will be removed, boxed, watered, and maintained during grading and construction. Trees and cacti shall

be effectively protected to prevent root damage, soil compaction, and trunk damage in conformance with the salvage plan.

4. Plants maintained at their original location shall be protected from grading and construction activities to remain unchanged.
5. Plants salvaged for replanting that do not survive storage or replanting shall be replaced with plants of similar type and size.
6. No plants salvaged for replanting shall be removed from the Community without the permission of the Community Development Department.
7. Any plants or plant materials that are not salvaged in the development shall be offered to the Community's Public Works Department or any other Community Departments for Community uses.

F. **Restoration of disturbed open space and adjacent areas.**

1. Disturbances within all open space areas shall be minimized and the disturbed area shall be restored to the original or better condition including, but not limited to, re-vegetation and grading.
2. Construction equipment, materials and stockpiled soils shall only be stored in areas that are to be disturbed during construction, such as roadway, driveway, and structure locations and in previously disturbed areas.
3. All periphery areas disturbed by construction activity shall be re-vegetated in a manner and density similar to or higher than that existing prior to construction in a manner that matches and blends into the surrounding area.
4. Restoration of disturbed open space and adjacent areas may be required before a project is considered complete and a certificate of occupancy is issued or planned improvements are accepted.

*The top 3" of desert floor material should be stockpiled and reused over disturbed areas. Re-vegetation can include hydro seeding in addition to an approved mix of trees and shrubs.*

## *Section 6.3.4 Minimum standards*

A. **Required quantity and size of plants**. Landscape areas within all development, including within abutting and internal rights of ways, shall be landscaped with at least the minimum quantity and size of plants as listed in Table 6.3.4.

**Table 6.3.4 Minimum Quantities and Sizes of Plants**

| Required Plant Material | Minimum plant quantities per aggregate area of landscape or open space on the site and within rights-of-way.[3] | Minimum Plant Size |
|---|---|---|
| Trees | 1 per 1500 sf. of landscape area[5] (excluding parking lots, ROW and landscape setback)<br>1 per 1000 sf. of landscape area within ROW and landscape setback | Height 6 ft.<br>Caliper[1]<br>Single Trunk 3/4"<br>Multi-Trunk ½" |
| Specimen Trees | 25% of required trees within sites with greater than 2-story building(s), intersection streetscapes, and street medians. | Height 10 ft.<br>Caliper [1]<br>Single Trunk 2 ½ "<br>Multi-trunk 1 ½" (average of two largest trunks) |
| Shrubs, and/or Cacti and Succulents[2] | 1 per 35 sf. of landscape area | Shrubs - 5 gallon<br>Cacti and Succulents - 1 gallon[2] |
| Groundcovers | No minimum requirement | 1 gallon |
| Saguaros | 1 per 12,500 sf. of landscape area | 6 ft. height or 6 ft. average combined height of two. |
| Ocotillos | 1 per 6,000 sf. of landscape area | 6 ft. height |

| | | |
|---|---|---|
| **Parking Lot Landscape**[4] | 1 tree per 5 parking spaces including: 1 tree per parking lot island and as required for shading walkways. | Height 10 ft.<br>Caliper [1]<br>Single Trunk 2 ½ ” |
| | 1 shrub per 25 sf. of landscape area in parking islands & medians | 5 gallon |

1. Caliper is measured 6” above soil line; height is measured from the soil line. Smaller calipers are allowed for salvaged plants. Nursery plants shall meet current American Standard for Nursery Stock (ANSI Z60.1).
2. Herbaceous perennials, small varieties of cacti and small succulents together shall not comprise more than ten (10) percent of the required minimum number of shrubs used (See 3 below).
3. Excluding trees within parking lots, once the minimum number of required plants is met, the number of additional plants in any category is not limited.
4. Trees within parking lots are not included in minimum quantities for other landscape areas.
5. The minimum requirement is a site average excluding parking islands, street ROW and landscape setbacks. Narrow landscape areas such as building base areas may be required to provide a higher tree count per sf. while wider areas like plazas, parks or detention areas may be allowed a lower tree count per sf. See Design Standards and Policies.

B. **Existing vegetation.** Trees and other existing vegetation native to the Sonoran desert that are preserved per Section 6.3.3 D. are counted as part of the required number of plants when the vegetation is healthy, true to species form, well incorporated into the landscape plan, approximates the minimum size standards of this Section, is properly protected and is not damaged during construction.

C. **Plant density.** Trees, shrubs and groundcovers shall be distributed throughout the development site based upon site layout, the minimum standards, and the purpose or function of the various landscape areas as specified in this ordinance.

*Denser and larger landscape materials should be provided in key areas such as site and buildings entries, building base areas and pedestrian areas.*

D. **Plant selection and diversity.** Landscape design shall use a diverse selection of plants from the plant list provided in the SRP-MIC Design Standards and Policies.

E. **Turf Areas.** Turf areas are limited to passive and active recreation areas and are not permitted within rights-of-way or landscape setbacks.

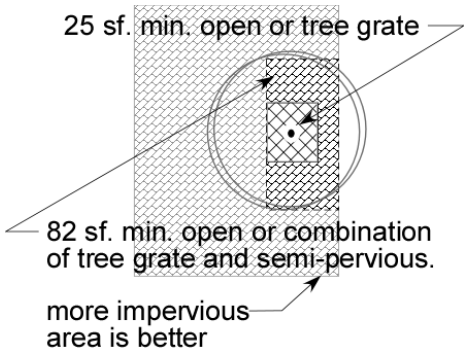
F. **Minimum planting area.**

1. The minimum depth or width of any landscape area, except within parking lot islands, shall be seven (7) feet and shall not include sidewalks or impervious cover, except as specified below.

   a. Within a hardscape area, such as a plaza or other pedestrian area, trees shall be placed within a semi-pervious planting area a minimum of eighty-two square feet. This area may be open or be a combination of open and semi-pervious area.

      1). The minimum pervious (open) area shall be twenty-five (25) square feet with a minimum length or width of five (5) feet and may be a tree grate.

      2). The remaining semi-pervious area may consist of an open planting area and shall be covered with semi-pervious material such as pavers set in sand.




   b. The minimum width and area of planting areas within parking lot islands shall conform to Section 6.7.6.C.2.

G. **Landscape Improvements.** Installation, modification or removal of landscape improvements requires prior Community approval and shall conform with approved plans.

1. Irrigation that is fully automated, underground and employs water conservation equipment in accordance with current best management practices is required for all plants. Irrigation shall be expanded and adjusted appropriately as plants mature. Overhead sprinklers are only permitted where specifically approved and within permitted turf areas.
2. Soil within the planting areas shall be free of construction materials and other debris or replaced with native top soil. Soils that have been compacted shall be tilled to a depth of eighteen (18) inches prior to planting.
3. Plant materials of substandard quality or dimensions may be determined to be unacceptable by the Zoning Administrator.
4. Inspection and approval by the Zoning Administrator is required of all landscape improvements prior to the issuance of a certificate of occupancy or acceptance as complete.

H. **Maintenance.** Landscaping shall be maintained in an orderly and healthy state and in accordance with the design intent of the approved landscape plan and this ordinance. Maintenance includes but is not limited to:

1. Watering and fertilizing appropriately for the plant species, monitoring and repair of irrigation systems, adjusting irrigation to plant growth, pest and disease control, and other provisions necessary to nurture plants and ensure their healthy, vigorous growth.
2. Keeping sidewalks and walkways smooth and free of bumps, cracks, plant material, debris, mulch, stones, sand, dirt, or trash and clearing debris from landscape areas.
3. Keeping walls, fences, hardscape, and other landscaping features in good condition and free of graffiti, debris, and trash.
4. Removal of weeds and invasive plant species.
5. Replacing dead or severely damaged plants with healthy plants of the same variety and quality within thirty (30) days of their demise.
6. Cleaning up and repairing of areas and improvements damaged by storm water, erosion, wind, sun or other means.
7. Removing tree and other plant staking no later than eighteen (18) months after planting.
8. Maintaining mulch in flowerbeds, cutting back perennials and/or replanting annuals at appropriate times.
9. Applying pre-emergent and contact weed control at the most effective times using an herbicide approved by CDD/EPNR.
10. Using of appropriate pruning techniques during the proper season for the plant species.
    a. Plants shall be minimally pruned in a manner that maintains the characteristics of the plant in its natural growth pattern and not be pruned or sheared into artificial shapes. See SRP-MIC Design Standards and Policies.
    b. Plants may be pruned or sheared:
        1). Where maintenance is required for hedges or for species that require annual pruning for normal healthy growth (not simply for appearance).
        2). To remove a safety hazard.
        3). To remove dead or diseased material.
        4). To avoid overhead utility lines.
        5). To maintain unobstructed vision between three (3) feet and seven (7) feet within the visual clear zones at intersections.
        6). To maintain clear passage for the full width and up to a height of eight (8) feet above sidewalks and pathways.
    c. Topping, an extreme form of crown reduction of trees, is prohibited.

d. Care taken not to prune at a time or in a manner that will diminish the time or amount of blooming. Minimal trimming should occur in the winter months.

11. Plant maintenance shall correspond to the design function intended.

a. Landscaping planted as a required landscape screen or buffer shall be maintained to provide an effective visual screen and be in conformance with Section 6.3.9.

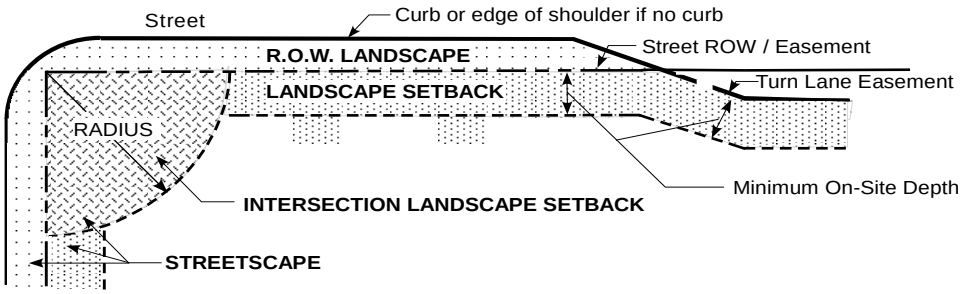
b. Ground cover intended to fully cover an area and plants designed as a vegetative mass shall be allowed to overlap and shall not be pruned to create gaps between the plants.

## *Section 6.3.5 Streetscapes*

A. All non-residential and multifamily developments shall include streetscape landscaping for the length of the abutting arterial, collector, and internal public and private streets.

B. The streetscape landscape includes the area within the on-site landscape setbacks and the area available for landscaping in the street right-of-way.

Figure 6.3.5 Streetscape



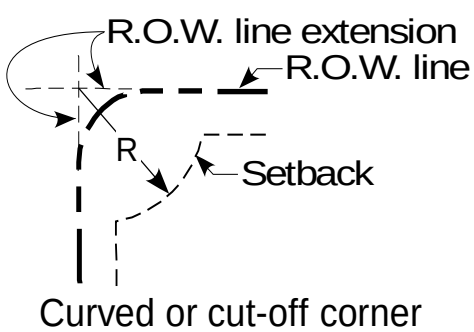

C. Pedestrian walkways and multi-use pathways within streetscapes of streets in non-government non-residential development areas shall be shaded a minimum thirty percent (30%) of the total walkway/pathway section length.

1. Shade may be provided by shade trees or by opaque structures (e.g. arbor, pergola, portico, awning, and canopy).

D. Minimum Landscape Setbacks are listed in Table 6.3.5 and illustrated in Figure 6.3.5.

1. Landscape setbacks are on-site and abut the street right-of-way easement and turn lanes, and are measured horizontally perpendicular to the street right-of-way. Where no street right-of-way easement exists, measurement is from back of curbing or edge of street shoulder. Landscape setbacks are not measured from utility easements.

2. The intersection landscape setback includes the area within a radius measured from the intersection of the street right-of-way lines or from the edge of pavement where no right-of-way exists. Where the right-of-way has a cut-off or there is a rounded corner, measurement is made from point of intersection of the extensions of the right-of-way or edge of pavement lines.




3. Where the intersecting streets are of different types, the smaller applicable radius applies to the intersection.

**Table 6.3.5 Minimum Landscape Setbacks**

| Minimum depth of on-site landscape setback abutting all streets and intersections* | | |
|---|---|---|
| **Type of street (public or private)** | **Landscape setback** | **Intersection landscape setback radius** |
| Arterial, Freeway or Highway (SR 87) | 20 ft. | 50 ft. |
| Collector | 20 ft. | 40 ft. |
| Local Street | 10 ft. | n/a |
| *Add 10 feet to landscape setbacks abutting streets and intersections in the MB and LI zoning districts. | | |

E. **Permitted streetscape improvements.**

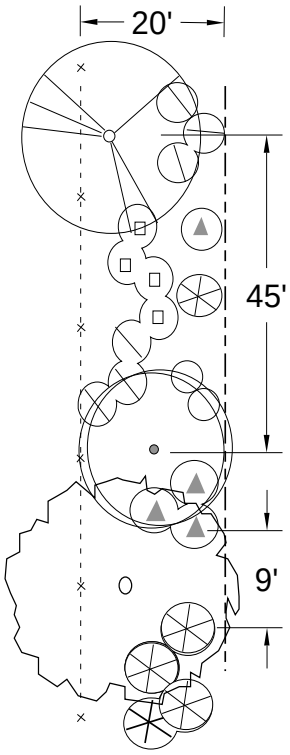
1. Improvements within street rights-of-way may include landscaping, sidewalks, bicycle lanes, pedestrian amenities, traffic signs and controls, way finding and other SRP-MIC government signs, transit stop amenities, permitted lighting, utility fixtures, and other features as required and approved by the Public Works Department as part of the development or landscape plan.
2. Improvements within on-site landscape setbacks may include all items permitted in the right-of-way streetscapes and permitted business signs, flagpoles, public art, sculptures, storm water detention areas that meet the streetscape landscape requirements, walls lower than four (4) feet, planters or seating and other features approved as part of landscape and site plans.
3. Improvements within intersection landscape setbacks may also include Community gateway monuments, way finding signs, and public art, in addition to permitted landscape improvements.

F. **Clear vision areas**. Clear vision areas are required at all intersections, which requirements are described in the Design Standards and Policies document.

## *Section 6.3.6 Landscape buffers*

A. Landscape buffers are required to be provided by non-residential development in the following areas.

1. Non-residential uses adjacent to residential uses zoned AR within the area designated Agriculture/Low Density Residential (A/LDR) on the General Plan Land Use Map:
   a. AP and C1 zoning districts shall provide a minimum twelve (12) foot wide landscape buffer. The landscape buffer area is exclusive of building base area except:
      1). Where base building area on building sides have no vehicular circulation or parking and no public or main employee entrances, the required A/LDR landscape buffer may be inclusive of base building area.
   b. C2 and C3 zoning districts shall provide a minimum twenty (20) foot wide landscape buffer exclusive of building base area.
   c. MB and LI zoning districts shall provide a minimum forty (40) foot wide landscape buffer exclusive of building base area.
   d. Where a non-residential building side adjacent to the AR zoning district has vehicular access, the landscape buffer shall be improved in conformance with the landscape screen requirements in Section 6.3.9.
   e. Walls, if provided, may be placed within the required landscape buffer along the perimeter of sites abutting the AR district as long as they do not create a continuous wall for the



**LANDSCAPE BUFFER**

entire length of the property. Rather, wall placements shall be staggered away from the property line.

2. MB or LI zoning districts adjacent to either AP, C1, C2, and C3 zoning districts shall:
   a. Provide a minimum twenty (20) foot wide landscape buffer inclusive of building base area.
   b. Provide a minimum six (6) foot wall incorporated into the required landscape buffer if determined necessary for screening by the Zoning Administrator.
3. The LI zoning district shall provide a minimum ten (10) foot wide landscape buffer inclusive of building base area where adjacent to the MB zoning district.
4. A minimum seven (7) foot wide landscape buffer is required between adjacent development sites sharing the same zoning within the C2, C3, MB and LI zoning districts. This requirement is inclusive of other landscape areas such as parking lot landscaping, landscape screening or landscaped retention areas.
5. The NR zoning district shall provide a minimum forty (40) foot landscape buffer adjacent to other zoning districts, inclusive of other required landscape areas.

B. **Minimum requirements.**
   1. Unless otherwise noted in this ordinance, the minimum width of a landscape buffer is twenty (20) feet.
   2. The maximum distance between trees is forty-five (45) feet and the maximum distance between shrubs is nine (9) feet, as measured parallel to the length of the buffer area between tree trunks or center of the shrubs.

C. Plants shall be selected from the plant list and arranged in the manner described in the SRP-MIC Design Standards and Policies.

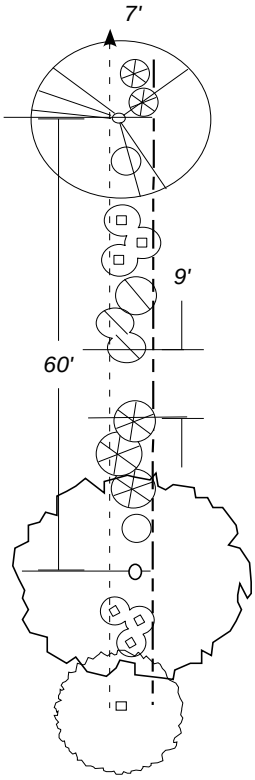
D. The Zoning Administrator may require a screen wall in addition to the landscape buffer. For example: where the intensity of the use and hours of operation could have negative impacts on adjacent uses; and to screen headlights from adjacent residential areas.
   1. The Zoning Administrator may require the landscape buffer to be between a screen wall or security fence and the adjacent site, rather than placing the wall or fence on the site boundary or between sites in the same development.

E. Permitted uses within buffer areas include:
   1. Open space or passive uses that do not interfere with the effectiveness as a visual separation between uses.
   2. Storm water detention as long as it does not interfere with the placement of required minimum landscape material or compromise a screening function.
   3. Underground electrical and wire utilities and related equipment.
   4. Walking paths.
   5. Building base area improvements when the base area is developed and used as a landscape buffer.

## *Section 6.3.7 Landscape borders*

A. A landscape border of a minimum depth of seven (7) feet, excluding curbing, shall be provided along the perimeter of all internal vehicle use areas, including driveways, drive-through lanes, parking lots, and delivery and service areas.

B. The maximum distance between trees is sixty (60) feet, and the maximum distance between shrubs is nine (9) feet, both as measured parallel to the length of the landscape border from tree trunks or the center of shrubs.




**LANDSCAPE BORDER**

C. Landscape borders are not required adjacent to building base areas or where other landscaping is provided such as landscape setback, parking lot islands, medians, landscaped drainage ways, landscaped storm water detention areas or landscape buffers.

D. The Zoning Administrator may waive the required landscape border between current and future phases of a development where it is not compatible with approved plans for future phases (for example, where parking areas will be expanded, streets will be widened or future vehicular cross connections will be provided).

### *Section 6.3.8 Decorative and security walls, retaining walls and fences*

A. Decorative walls, security walls, retaining walls or fences in all zoning districts shall be compatible with the architecture or landscape theme on the site and shall conform to the clear visibility zone and traffic safety triangle requirments as per SRP-MIC Design Standards and Policies.

B. The height of a wall or fence is measured from the highest adjacent grade.

C. Residential walls, fences and hedges.

1. Shall not interfere with the clear visbility zones and traffic safety triangle requirements found in the SRP-MIC Design Standards and Policies document.
2. Shall not exceed six (6) feet in height on all rear property lines and on all front and side yard setback lines, with the following exceptions:
   a. No wall, fence or hedge over four (4) feet in height is permitted in the front yard setback
   b. A six (6) foot high fence, hedge, or wall may be located not closer than five (5) feet from the side property line of a corner lot.

D. Nonresidential Walls and Fences.

1. Walls and fences up to a maximum four (4) feet in height or less are permitted to encroach into the landscape setback or landscape border up to ¼ of the depth of the required landscape setback or border and up to fifty (50) percent of the length of the setback or border, excluding driveways.
2. Walls and fences greater than six (6) feet in height shall meet building setbacks.

E. Chain link fencing is not permitted, except in the following situations:

1. Behind landscape buffer areas around industrial uses in the NR zoning district.
2. For agricultural, residential and Community education uses within the AR and AP zoning districts.
3. As temporary security and safety fencing around a site, as approved by the Zoning Administrator.
4. In conjunction with an approved SUP for temporary sales.
5. To prohibit access to an unsafe situation such as a condemned building.

### *Section 6.3.9 Screening*

A. Screening may be accomplished with walls, architectural features, berms or a combination of these along with landscaping. Alternative screening methods may also be considered, subject to Development Review approval.

B. All screening shall be well integrated into the site and be compatible with the development theme and building design.

C. Screening shall be placed adjacent to and around the area to be screened rather than being placed at the perimeter of the entire site, unless that solution is not practical. This requirement does not restrict the placement of security fencing, such as wrought iron at the property perimeter. Where areas to be screened are viewable from elevated streets, freeway or from

upper stories of adjacent buildings, the screening standards in this ordinance may be deemed as creating an acceptable screen.

D. Areas required to be screened from view from streets, freeways, and adjacent sites are described below.

1. Loading docks and service bays shall be screened using architectural solutions such as recessing, building offsets, buttresses, columns, trellis, and a minimum six (6) foot masonry wall, in combination with tall shrubbery and trees.

2. Refuse containers shall be screened from internal drives, parking areas, and whenever viewable by customers and the public in addition to streets, freeways, highways and adjacent sites.

   a. Refuse containers shall not be placed on main drive aisles and shall be placed away from outdoor pedestrian areas.

   b. Refuse containers shall screened by opaque walls and gates that are one (1) foot over the highest point of the container or seven (7) feet four (4) inches in height, whichever is less.

   c. Refuse compactors shall be screened by opaque walls and gates up to the top height of the compactor.

   d. Gates shall be closed when containers are not being accessed.

3. Parking areas shall be screened using walls, berms or a combination of these, along with landscaping to screen to a minimum height of at least three (3) feet.

4. Service station refueling areas, drive-through and queuing lanes shall be screened using walls, berms or a combination of these, along with landscaping to screen to a minimum height of at least four (4) feet. See additional drive-through and queuing lane requirements in Table 4.2.

5. Mechanical and utility equipment such as HVAC, utility cabinets, meters and service panels, transformers, backflow preventers and similar items shall:

   a. Be located to minimize visibility from streets, public areas and adjacent uses to the extent possible.

   b. Ground mounted utility transformers, utility meters (including service panels) and HVAC equipment:

      1). Shall be screened using either walls, metal screens, and/or recessing into building with landscaping where feasible to screen a minimum of one (1) foot higher than the equipment being screened.

      2). If equipment cannot be screened due to impairment of its function, the architectural or site design shall make the equipment a non-dominant feature integrated into the site or building, subject to Development Review approval.

   c. Roof-mounted equipment:

      1). Shall be screened a minimum of one (1) foot higher than the top height of the equipment being screened.

      2). Screening shall be integrated into the building design, add to the building's aesthetics and have a similar level of detail as the building. It should not have an "added on" appearance.

      3). Where the roof is readily visible from an adjacent street or site, equipment shall be within an enclosed (surrounded on all sides including roof) architectural feature rather than screened by a fence or parapet.

   d. If equipment cannot be screened due to impairment of its function, the architectural or site design shall make the equipment a non-dominant feature integrated into the site or building, subject to Development Review approval.

6. Permanent outdoor storage and outdoor work areas.

   a. Shall be enclosed by a masonry or concrete wall with gate a minimum of six (6) feet tall but not to exceed ten (10) feet tall measured from the highest adjacent grade or street curb within twenty (20) feet. Landscaping shall be used in addition to the wall.

   b. The height of materials stored in outdoor areas shall not exceed the height of the wall and gate provided.

   c. Stored vehicles and equipment, if at its shortest setting exceeds the maximum allowed wall height, may be visible up to eighteen (18) inches above the maximum wall height. Tall shrubbery and trees shall be used in addition to the wall.

   d. Pushcart corrals located adjacent to a building shall be screened by a wall to a height one (1) foot above the cart height. The location of pushcart corrals shall be shown on the approved site plans.

7. Temporary outdoor storage.

   a. Except where outdoor display is specifically not permitted, a permanent retail business may display merchandise for sale outdoors without screening subject to the following:

      1). Displays are limited to the normal hours of operation of the business, unless secured from theft.

      2). Displays shall be located within the building base area of the related business, or within an adjacent courtyard, plaza or outdoor sales area and shall not occupy landscape areas, fire lanes or required fire staging areas, areas used by vehicles or required parking spaces unless such locations are specifically permitted by a special use permit.

      3). Displays shall not block pedestrian circulation paths, and shall provide for a minimum clear pedestrian pathway five (5) feet in width around or through the display.

      4). Seasonal or special event outdoor storage. Merchandise may be stored outdoors, including overnight, without screening in conformance with an approved special use permit. This part applies to:

         a). Merchandise offered for sale by the permanent retail establishment on the site on a seasonal basis (e.g., Christmas trees, garden and plant materials, gardening supplies, small equipment, seasonal holiday goods), and

         b). Merchandise that is being offered for sale during an exclusive event such as a street fair, festival, farmers market, flea market, or a Community-sponsored event.

8. Garden centers and nurseries. Sales areas for non-plant materials require screening to obscure view subject to Development Review approval.

9. Vehicle and equipment sales require a minimum three (3) foot screen wall and landscaping.

10. Fleet Parking shall be screened using a minimum six (6) foot wall and landscaping.

E. Parking and vehicular circulation abutting the A/LDR transition area shall be screened in a manner to meet the requirements in Section 3.2.3.D.2.

F. **Exceptions to screening requirements.**

   1. Single family residential uses are exempt from screening requirements.

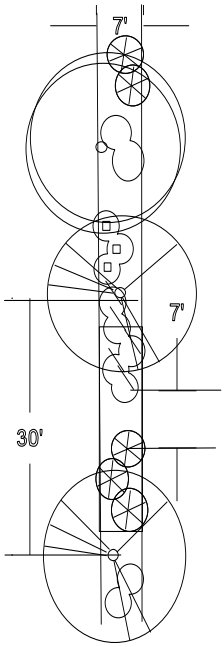
G. **Screen walls.** When a wall is used as a screen, the following requirements shall apply:

   1. Walls used for screening shall be completely opaque.

   2. Wall materials, finishes, colors and architectural details of walls shall match or be compatible with the character of the building architecture of the development. This may include incorporating columns, caps, texture, patterns, similar materials, finishes or other detailing.

H. **Landscape screens**. Landscaping used for screening (used in addition to walls, architectural features, berms), shall meet the following standards:

1. Landscape screening may be incorporated into required landscape setbacks adjacent to streets.
2. The minimum required depth of planting area is seven (7) feet. The maximum distance between trees is thirty (30) feet as measured trunk to trunk, parallel to the length of the screen area. Shrubs shall be planted so that they abut each other or there is no opening, as measured parallel to the length of the screen area. Plantings should be staggered rather than placed straight lines.
3. Planting density used in screening shall depend upon plant species used and shall be installed at an adequate size to reach the screen height objective within two (2) years of planting.
4. Landscape used in screening shall be appropriate tree and shrub species at sizes and densities adequate to create a visual screen from the ground to the height adequate to screen the area throughout the year.
5. All plants in a required landscape screen area shall be permitted to grow to their natural forms and not pruned or sheared to create artificial forms or gaps between plants or to limit heights or otherwise diminish their function as a visual screen.
6. Plants that are removed, damaged (including pruning that makes a plant ineffective as a screen), or dead shall be replaced within thirty (30) days.



**LANDSCAPE SCREEN**

## *Section 6.3.10 Parking lot landscape standards*

A. Parking lots shall be landscaped to improve visual appearance, reduce glare, break up large expanses of asphalt and provide a partial tree canopy to shade the parking area, vehicles and walkways to help mitigate the buildup of heat while allowing surveillance from the street.

B. Landscaping within parking areas shall meet or exceed the minimum requirements in this Section.

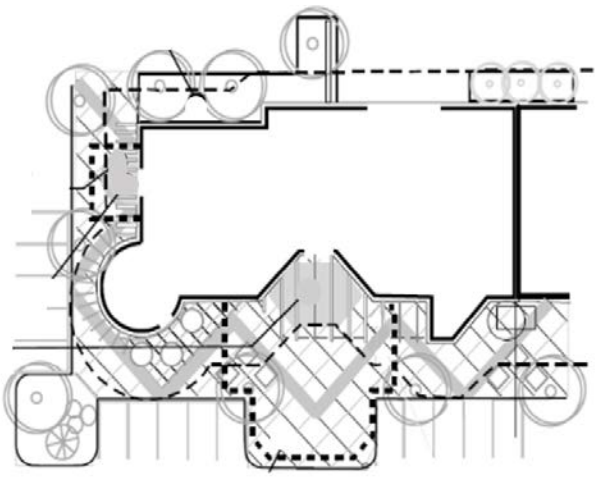
1. All landscape plants within parking areas shall be selected from the appropriate plant list for parking areas provided in the SRP-MIC Design Standards and Policies.
2. Planting size requirements are described in Section 6.3.4.
3. For safety considerations, plants within parking areas shall be selected and maintained to provide a visually clear area between a height of three (3) feet and seven (7) feet above the parking lot surface.
4. Parking lot islands and medians shall be located as required in Section 6.7.6 and landscaped in conformance with the following minimum requirements:
   a. One (1) tree shall be provided for each five (5) parking spaces, excluding spaces located under a shade canopy.
   b. One (1) tree for each landscape island at the ends of each row and within rows of parking spaces.
   c. Trees shall shade a minimum of forty (40) percent of walkways within parking lots where walkways are not shaded by structures or other means.
   d. One (1) shrub shall be provided for each twenty-five (25) square feet of landscape area within the islands and medians.
5. Landscape islands and medians shall be graded to retain low flows of storm water.

C. **Parking structures.** Parking structures shall meet the base area requirements for primary structures required in the zoning district.

## *Section 6.3.11 Building Base Area*

Buildings shall include building base area improvements that complement the building's aesthetics and function, soften building mass, and provide shade as described in this Section.

**BUILDING BASE AREA**



*Base areas are expected to vary significantly in response to the use, (e.g. retail, office, hotel or industrial), building orientation, and building façade and fenestration. Accordingly, the design may accommodate window shopping and outdoor sales areas; provide gathering and seating areas; include comfortable shaded areas, well defined walkways and destination areas; create focal points; provide a landscape transition between buildings and walkways or parking; shade building walls or windows; or break up building masses.*

A. **Building Base Area Required.**

1. **Total minimum square footage required.** The total square feet of building base area required around a building is based upon the building perimeter and building height in conformance with Table 6.3.11.B.1.

**Table 6.3.11 B.1**

| Building Height (feet) | Minimum Building Base Area Amount Required Per Linear Foot of Building Perimeter |
|---|---|
| 24 ft. or less | 14 sf./lf. |
| > 24 ft. to 36 ft. | 15 sf./lf. |
| > 36 ft. to 48 ft. | 18 sf./lf. |
| > 48 ft. to 60 ft. | 20 sf./lf. |
| > 60 ft. to 72 ft. | 22 sf./lf. |
| > 72 ft. | 24 sf./lf. |
| Notes: See exceptions to minimum Building Base Area requirements Section 6.3.11. | |

2. **Minimum depth of building base area.** The minimum depth required of any building base area is twelve (12) feet with a sidewalk or seven (7) feet without a sidewalk, as measured perpendicular to the exterior walls of the building. The base area depth cannot be averaged along the length of the building.

B. **Building Base Area Improvements.**

1. Building base areas shall incorporate as much landscaping as feasible within the base area. Other improvements allowed in the building base area include decorative hardscape, shade structures, outdoor seating areas, street furniture, public art, walkways, architectural features such as awnings, wall mounted sculptures, window pop-outs, upper level overhangs, colonnades, overhead decks or walkways, forecourts, and decorative walls three (3) feet or less in height.

2. Shade.

   a. At least forty (40) percent of the pedestrian areas within base areas shall be shaded. Shade may be provided by trees, shade structures, shade sails, covered walkways, canopy or awnings, building overhangs, or similar elements.

   b. The supporting elements of shade structures may not block pedestrian circulation.

3. Building entrance areas shall be designed in a manner that distinguishes the entry area, provides transition between interior and exterior environments, and provides shade.

C. **Base Area Location.**

1. Base area improvements shall:

   a. Be contiguous and abut the building edges.

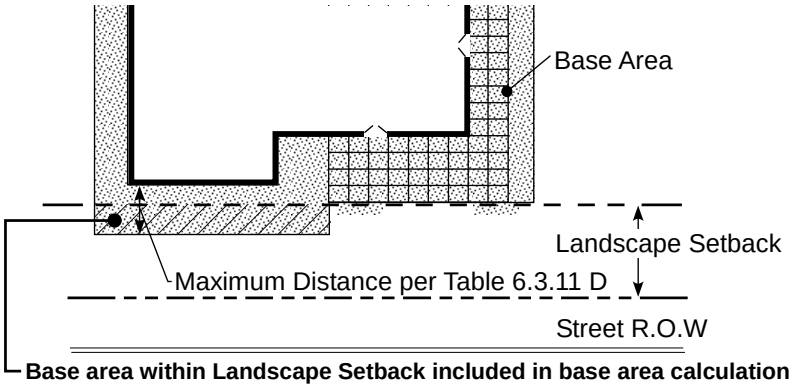
   b. Not extend beyond any property line or development site boundary.

   c. Not overlap with any other building base area.

   d. Not be counted as base area improvements where they extend more than thirty-six (36) feet from the edge of the building wall, but may be counted towards other landscape or open space requirements.

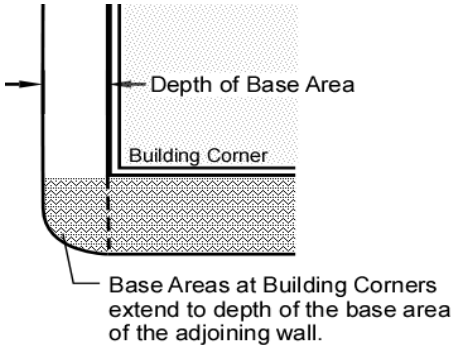
   e. The base area depth from the building wall is expected to vary along the length of the building and not be a constant dimension from the building wall. Variation in the depth of base areas may be accomplished by the articulation of the adjacent building walls, and/or by varying the location of the outer edge of the base area.

2. Where base areas abut streets, landscape setbacks may be counted as part of the required minimum base area up to a depth of seven (7) feet as measured from and perpendicular to the building wall, with the exception of base area adjacent to drive-through lanes, which are exclusive of the landscape setback. Areas extending into landscape setbacks shall conform to streetscape landscape standards.




3. At building corners, the base areas shall be contiguous and the base area depth shall be extended at least to the depth of the base area of the adjoining wall.

4. Parking lot islands that abut building base areas are not included as part of the required minimum base area unless they are a minimum of eighteen (18) feet in width.




D. **Exceptions to base area requirements.**

1. Buildings intended for occupancy 1,000 gross square feet or less in area and buildings not intended for occupancy 3,000 gross square feet or less in area.

2. Service areas, loading docks, bay door vehicle access and similar are not calculated as part of the building perimeter and are not a part of the building base area requirement.
3. Accessory structures that are not visible from streets and adjacent sites and are not accessed by the public are exempt from building base area requirements.

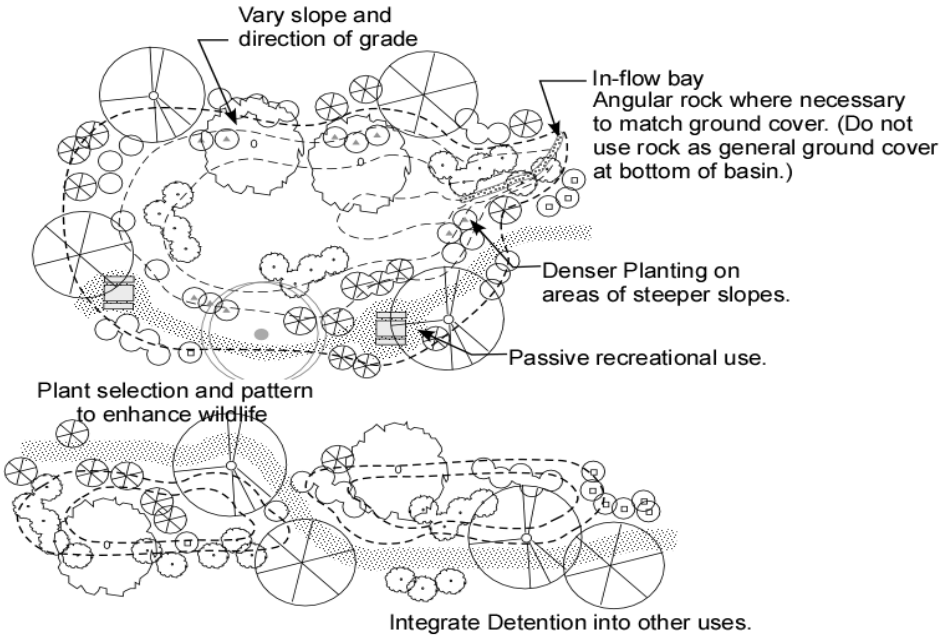
# *Article 6.4 Storm Water Management*

This Article establishes standards that apply to storm water management.

## *Section 6.4.1 General Provisions*

A. **Grading and drainage plan required.** No person, firm or corporation shall strip, excavate, grade or otherwise disturb the topsoil on a site except in conformance with an approved grading plan and grading permit issued by the Engineering and Construction Services Department. Agricultural activities on land that recently has been or currently is being farmed are exempt from this requirement.

B. Storm water management solutions shall utilize the Design Standards and Policies and conform to applicable legal requirements.



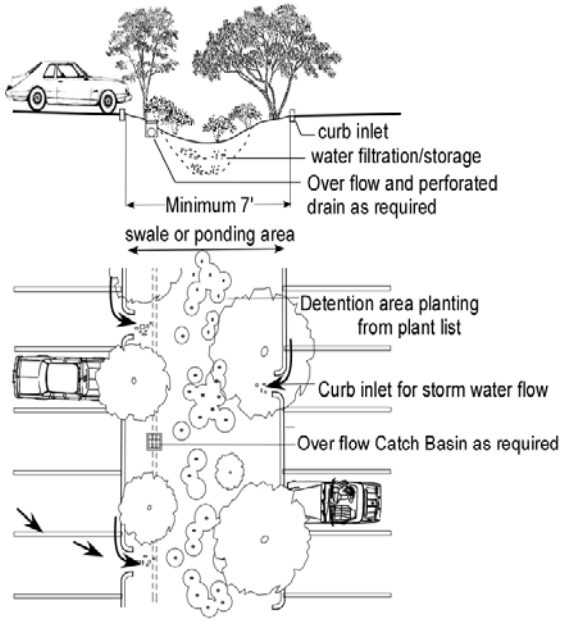

EXAMPLE OF STORM WATER DETENTION AREA
SEE DESIGN STANDARDS AND GUIDELINES FOR MORE INFORMATION

C. **Use of storm water detention areas as secondary use.**

1. In order to be counted as open space, storm water drainage and detention facilities shall be incorporated as a secondary use into site elements that provide a primary function and benefits such as active or passive recreation, picnic or staff break areas, parking lots, medians, streetscape, parks, play fields or courts, landscaped screens or buffers, building base areas, view corridors or similar. These elements shall be appropriately located for their function and designed to serve the additional secondary function of drainage flow and detention without detracting from their visual qualities and function except during storm events.
2. The Zoning Administrator may approve detention areas that are designed for the singular purpose of detaining storm water when it is not practicable to incorporate all or part of the storm run-off into other site elements or in locations where they serve a meaningful secondary use. However, single purpose detention facilities are considered service areas and are not counted as meeting any open space requirement.

D. **Pollution control.**

1. Filtering at inlets, oil separator devices, dual chambered drywells or other best management practices shall be implemented pursuant to legal requirements.
2. All paved areas shall be maintained in a dust free condition and free of debris and trash.
3. All storm water facilities shall be maintained free of debris and trash.

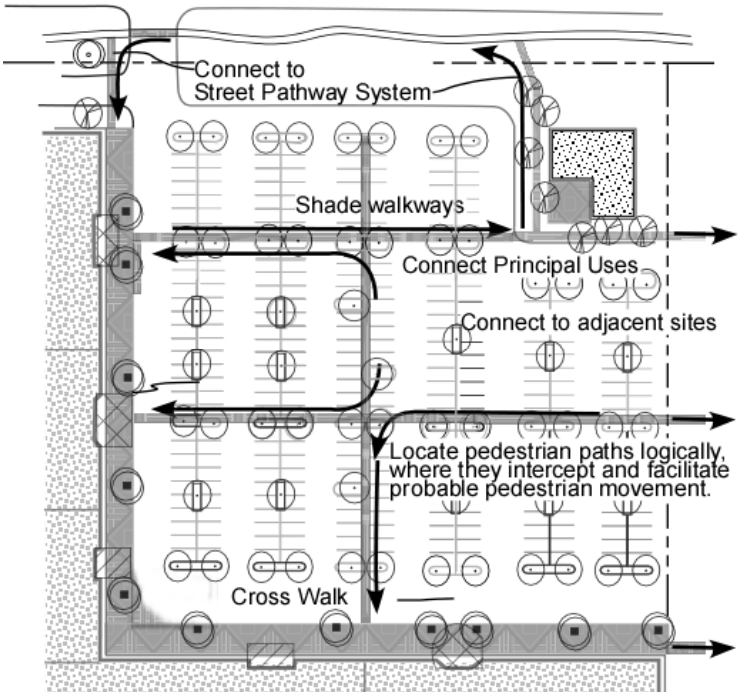



EXAMPLE PARKING LOT MEDIAN & STORM WATER DETENTION / RETENTION AREA

## *Article 6.5 Circulation*

The purpose of this Article is to encourage and facilitate pedestrian circulation by providing facilities that are attractive, safe, accessible, and convenient to use, and that support the circulation elements in the transportation plan including current and future local transit.

Example of pedestrian circulation plan.
Include pedestrian circulation in the design of parking areas.



## *Section 6.5.1 General Provisions*

A. **Pedestrian Circulation.**

1. **General layout.** A pedestrian circulation system within a development shall provide a convenient and attractive pedestrian circulation system that provides continuous pedestrian pathways extending through the development site with connections to adjacent development in conformance with this Section.

   a. Pedestrian circulation may include principle and secondary sidewalks, walkways, or multi-use pathways.

   b. Connections between buildings on the same development site, between the site and adjacent sites and connections to the street are required where practicable.

   c. Pedestrian circulation elements shall be located where they logically intercept and facilitate probable pedestrian movement.

      1). All primary entrances for uses on the site shall have a convenient and reasonably direct route of travel between them.

         a). A “primary entrance” means the main public entrance to a tenant space used by customers or clients; the main employee entrance if no public entrance exists; the front door of a multi-family dwelling unit; or the ground floor pedestrian entrance for upper levels of a multi-story structure. A multi-tenant building could have several primary entrances serving different tenants on different sides of the building. Where tenants share an exterior entrance, the shared entrance is a primary entrance.

         b). “Convenient” or “reasonably direct” means the pathway does not involve a significant amount of out-of-direction travel between the starting points to the likely destinations for users.

   d. Pedestrian connections shall be made within the development to sidewalks, pathways or trails on abutting streets, to public open space or recreation areas, and to existing or future development on adjacent sites.

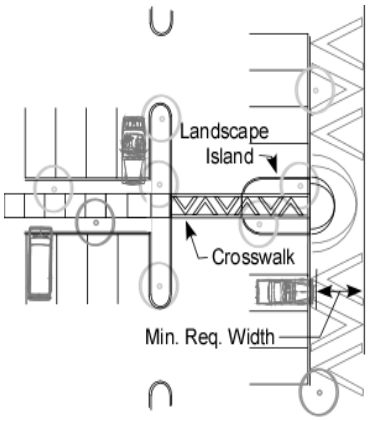
   e. All streets shall include a sidewalk and/or a pathway in conformance with the Community’s Comprehensive Transportation Plan and other standards of the Community.

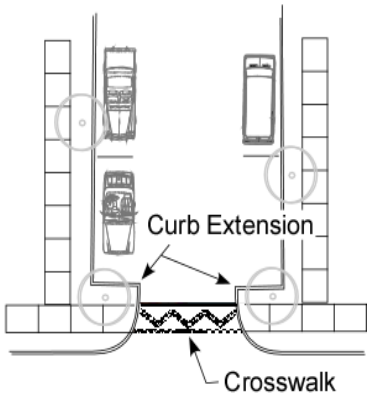
   f. Provision of pedestrian amenities along sidewalks and pathways are encouraged in locations where they are likely to be used.

   g. All sites shall meet Americans with Disability Act circulation requirements. Sidewalks and pathways shall be free from hazards and have appropriate lighting levels provided either directly or from ambient lighting (See Table 6.8.7 and Section 6.8.7 K).

   h. Surface materials. Primary sidewalks shall be concrete, pavers, brick, or other hard surfaced ornamental paving or an approved alternative material based on the anticipated use and character of the area. All materials shall provide a smooth hard surface finish. Textured or bumpy materials may be used as an edge treatment.

   i. Separation from vehicle use areas. Sidewalks or pathways adjacent to a drive aisle, driveway, parking area, or a street (public or private) shall be separated from the driving surface, by raised curbing, a landscape buffer strip, both a curb and landscape buffer strip or other physical separation.



j. Separation from bedroom windows. Sidewalks and pathways shall be separated from the windows of all ground-floor sleeping areas by a minimum of seven (7) feet to provide for privacy. The separation area should be landscaped or otherwise limit access to the windows.

2. Crosswalks.

a. Crosswalks shall be provided where pedestrian pathways cross local streets, driveways or drive aisles in front of businesses.

b. Crosswalks shall be clearly differentiated from the vehicular area, preferably by use of a different material, color or texture or, less preferably, by striping.

c. Where crosswalks are adjacent to on-street parking or drive aisles, landscape islands (bulb-outs or curb extensions) equal to the depth of the parking spaces shall be provided to shorten crosswalks and increase pedestrian safety.

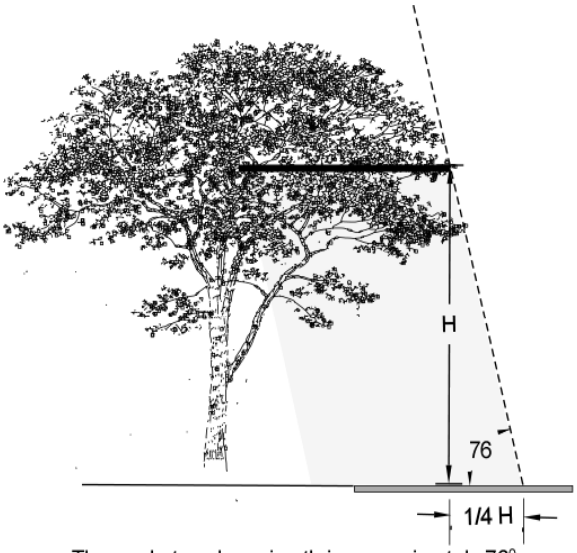
d. Pedestrian safety measures with crosswalks such as speed tables, pedestrian crossing lights, or signage shall be provided where needed to accommodate pedestrian safety.

3. Shading pedestrian walkways and multi-use pathways.

a. Shade may be provided by shade trees or by opaque structures (e.g. arbor, pergola, portico, awning, and canopy). The location and spacing of shade shall be established through the Development Review process.

b. Shading effectiveness is based on conditions at noon on June 21st. The angle to the solar azimuth is approximately seventy-six (76) degrees. The horizontal offset to the south is a minimum of one-quarter (¼) foot per one (1) foot of vertical distance to the edge of the shade element. Placing shade trees on the west side of walkways is most effective.

c. Where lighting is required, pathways shall be lit in conformance with Table 6.8.7 and Section 6.8.7.K.



The angle to solar azimuth is approzimately 76$^0$
The horizontal offset is 1/4 ft. per ft. of vertical distance to the shade element.

B. **Vehicular Access and Circulation.**

1. A minimum fifty (50) foot clear driveway as measured along the curb line from the street curb line to the nearest parking space is required at all access points into a development.

2. Cross access between adjacent development sites should be provided where feasible to allow convenient cross access and to reduce unnecessary trips onto streets to access adjacent businesses.

3. The following shall conform to the SRP-MIC Design Standards and Policies.

a. Site access from streets.

b. On-site circulation of emergency and service vehicles.

c. Provision of fire lanes and fire equipment staging areas.

d. Connections between sites both on the same site and on adjacent sites.

# *Article 6.6 Building Design*

The purpose of Article 6.6 is to establish a level of site and building design quality that further preserves and celebrates the SRP-MIC's people, history, culture, environment and aesthetic preferences in development design. These regulations are supported by the Design Guidelines and Policies document that provides more descriptive 'how to' language.

## *Section 6.6.1 Design Quality*

A. **Building expectations:**

1. Developed with durable, quality materials, preferably localized and sourced from natural materials.
2. Varied architectural treatments, for example, windows; varied materials, colors and patterns; and changes in wall plane on all sides of a building.
3. Designed for human scale, for example: lowering canopies and lighting; providing details at pedestrian levels; avoiding large untreated building wall sections and curtain type or unbroken appearance to glazing; and employing strategies to break up the apparent mass of the structure.

## *Section 6.6.2 Community Design Preferences*

A. The overall building and site design shall integrate elements of the SRP-MIC's rich history, culture and lands and include:

1. Elements of the SRP-MIC Community, which is comprised of two distinct Native American tribes - the Onk Akimel O'odham (Pima) and the Xalychidom Piipaash (Maricopa) to create a visual experience of the rich culture and history of the SRP-MIC.
2. Elements of the natural environment of the SRP-MIC and ancestral Huhugum.
3. The design principles and intent as illustrated in the SRP-MIC Design Standards and Policies.

## *Section 6.6.3 Solar Response*

A. **Window Shading.**

1. Provisions for durable, functional shade on windows with eastern, southern, and western exposures are required in addition to the requirements in subsection 2. below.
   a. Provide shade element/s around windows a minimum of ¼ foot deep for each 1 foot of window height. Window height is measured from the bottom of the shade element to the base of the window.

*At a minimum, shade elements should be offset to the south ¼ foot for each 1 foot of height the shading element is above the area to be shaded .*

2. In addition to subsection 1. above, a minimum of two strategies to reduce solar gain and glare shall be utilized in building and site design:
   a. Recess windows or place a pop-out on the windows a minimum of eight (8) inches from the exterior building wall plane.
   b. Utilize glazing technology with internal opacity or shading.
   c. Provide landscape shade for the building's first level within base landscape area.
   d. Orient buildings to significantly maximize the locations of entrances, windows and outdoor seating areas on the north and northeast elevations.
   e. Provide structural shade on windows with northern building exposures to shield from the summer early morning and late afternoon sun.

B. **Construction Material Reflectance Limits.**

1. Construction materials, including windows with coatings and tinting, shall have an exterior reflectance of no more than thirty (30) percent.

# Article 6.7 Parking Requirements and Standards

## Section 6.7.1 Purpose

The purpose of this Article is to:

A. Provide development standards for adequate parking and loading facilities, for new uses and for the expansion of existing uses.

B. Alleviate traffic congestion and provide for safe, convenient, and efficient on-site parking.

C. Reduce the perceived scale and visual impact of parking areas to help retain the character and natural beauty of the Community through the use of landscaping and site layout.

D. Reduce heat buildup and provide for the comfort of users through the provision of shade and the reduction of paved areas.

E. Ensure pedestrian-friendly parking areas by providing pedestrian circulation facilities that are safe, comfortable, and appropriately illuminated and shaded.

## Section 6.7.2 Applicability

A. Conformance with this Article is required for all non-residential and multifamily residential uses and any subsequent additions or modifications, except as specifically noted in this Ordinance.

B. Parking provisions and requirements of this Article shall not apply to single-family residential uses except as specifically noted in this Ordinance.

C. The CDD shall approve plans prior to construction or modification of any parking area.

## Section 6.7.3 General regulations

A. The use of property is conditional upon the continued provision and availability of parking as required by and in conformance with this Article.

   1. It is the responsibility of the person(s) in control of the property and/or land uses to ensure that adequate parking is provided.
   2. The CDD Director is authorized to place restrictions on the operation of any use(s) as deemed necessary to ensure that the parking needed does not exceed the parking available.
   3. Parking or display of vehicles other than within an approved parking space is prohibited.
   4. Required parking spaces shall not be used for product display or other purposes except as allowed by this ordinance or by a special use permit.

B. **Minimum number of required parking spaces.** The minimum number of required parking spaces is calculated as follows:

   1. The minimum number of parking spaces shall be based upon the ratios in Table 6.7.3, land uses proposed on development plans submitted for approval and/or the land uses located on the subject site, with the following considerations:

      a. Square feet (sf.) of floor area is based on gross square footage of the use.

      b. Parking provided for use by handicapped persons shall conform to the Americans with Disabilities Act (ADA) and the ICC-ANSI standards as adopted by the SRP-MIC. ADA parking spaces shall count as part of the required number of parking stalls.

      c. Parking requirements for large commercial centers or large office complexes with multiple uses are calculated using the more predominate category.

      d. Smaller sites with one or various types of uses are calculated based on the parking ratio of each specific use (e.g., a retail shopping center of 65,000 sf. would be calculated at a ratio of 1 space per 250 sf. rather than by the sum of parking required for each type of commercial use).

e. Seating consisting of benches or pews is based on 1 seat for each 20 linear inches of bench or pew.

f. When seating is not fixed within a meeting or gathering area, parking is calculated at the required spaces per square foot of the area or 1 space per 50 sf. if no requirement based on area is stated.

g. Parking based on employees is calculated for the shift with the largest number of employees.

h. Parking for fleet vehicles, vehicles used by business, inventory of vehicles for sale or vehicles being maintained or repaired are in addition to the parking required in Table 6.7.3.

2. If a proposed use is not listed in Table 6.7.3, the required parking shall be determined by the Zoning Administrator or by a parking study approved by the Zoning Administrator.

3. When multiple uses are proposed, the minimum number of parking spaces required shall be the sum of the minimum requirements of the individual primary uses unless a shared parking study is approved by the Zoning Administrator.

4. Site plans shall indicate the gross square foot size or total number of facilities as indicated in the parking ratios in Table 6.7.3, the location, dimension, and number of parking spaces to be used to meet the required parking, as well as parking for any vehicles to be stored on the site such as fleet vehicles, delivery vehicles, vehicles displayed for sale or lease, and vehicles awaiting rental, repair or maintenance.

5. Parking spaces for vehicles to be stored on the site during normal business hours, such as for sale, lease, rent, repair or maintenance, shall be provided in addition to the minimum number of parking spaces required in Table 6.7.3. All such vehicles shall be parked only in areas as designated on approved plans.

| Table 6.7.3 Parking Ratio Table | |
|---|---|
| **LAND USE** | **MINIMUM REQUIRED PARKING** |
| **AGRICULTURAL** | |
| Animal husbandry | 1 space per 300 sf. of office |
| Animal sanctuary | 3 spaces + 1 space per 1000 sf. indoor area |
| Apiaries and honey extraction | 1 space per 500 sf. of use No parking required if part of an agricultural use |
| Auction (agricultural products and equipment) | 1 space per 250 sf. indoor, covered or outdoor auction area including area for display and bidders + 1 space per 1,000 sf. storage of materials to be auctioned |
| Commercial stables | 1.2 spaces per stall/horse |
| Community garden | 1 space per 1,000 sf. first 4,000 sf. then 1 space per 10,000 sf. minimum 2 spaces or no spaces required if located in users neighborhood (parking may be located on an abutting local street) |
| Composting, Commercial | 1 space per 200 sf. of office + 1 space per 5 acres |
| Dairying | 1 space per 300 sf. of office |
| Farm center | 1 space per 300 sf. of office |
| Farming | No parking requirement |
| Feed store, Agricultural supply store, Saddle and Tack shop | 1 space per 300 sf. indoor retail sales area |
| Feedlots, Factory farming | 1 space per 1000 sf. |
| Maintenance/repair, rental shop, for agricultural equipment (as a business) | 1 space per service bay + 1 space per 300 sf. of office and customer service area |
| Open grazing | No parking requirement |
| Packing house, for agricultural products produced within SRP-MIC | 1 space per 1000 sf. of indoor area |
| Pasturing of livestock | No parking requirement |
| Plant nursery wholesale | 1 space per 10,000 sf. indoor and outdoor area for first 40,000 sf. then 1 space per 5 acres + one space per 300 sf. office space |
| Processing or curing agricultural products produced within SRP-MIC | 1 space per 500 sf. + 1 space per 300 sf. office and customer service area |
| Produce stand | 1 space per 120 sf. of actual product display area(s). Minimum 3 spaces. (parking may be located on the abutting local street or shared by another use) |
| Riding academy | 1 spaces per stable/horse + 1 space per 300 sf. of office |
| Worker Housing - Agricultural | Same as similar type of residential dwelling unit |
| **RESIDENTIAL** | |
| Community Support Housing | Same as similar type of residential dwelling unit |
| Mobile home park | 2 spaces per dwelling unit |
| Multifamily dwellings | |
| Studio | 1 space + 0.2 guest spaces per dwelling |
| 1 Bedroom | 1.5 spaces + 0.2 guest spaces per dwelling |
| 2 Bedroom | 2 spaces + 0.2 guest spaces per dwelling |

| Table 6.7.3 Parking Ratio Table | |
|---|---|
| **LAND USE** | **MINIMUM REQUIRED PARKING** |
| 3 Bedroom | 2.5 spaces + 0.2 guest spaces per dwelling |
| 4 Bedroom | 3 spaces + 0.2 guest spaces per dwelling |
| Single-family dwelling | 2 spaces per dwelling unit |
| Home occupation and related accessory building(s) | No additional parking required beyond parking for residential use |
| **INSTITUTIONAL & CIVIC** | |
| **Community Services** | |
| Animal shelter/Pound | 1 space per 300 sf. office area + 1 space per 600 sf. |
| Crematorium | 1 space per 350 sf. (includes public assembly area) |
| Government agency offices or services | 1 space per 300 sf. + parking for assembly areas or shared parking analysis |
| Morgue | 1 space per 500 sf. |
| Mortuary / Funeral Home | 1 space per 500 sf. |
| Public safety and emergency response station (e.g., police, ranger, fire, ambulance) | 1 space per 300 sf. of office/administration area and 1 space per bed or persons on duty during highest shift |
| Senior center | 1 space per 200 sf. |
| SRP-MIC offices (administration, general government and human services, meeting facilities) | 1 space per 300 sf. + parking for assembly areas or shared parking analysis |
| SRP-MIC government public works facilities (equipment yard, maintenance and repair shops, material storage) | 1 space per 300 sf. of office space<br>+ 1 space per 500 sf. of maintenance shops or storage buildings<br>+ parking for vehicles and equipment stored on site or serviced on the site |
| **Correctional / Law Enforcement** | |
| Correctional center and detention facility (jail, honor camp, reformatories, juvenile center) | 1 space per 1000 sf. + adequate parking for service vehicles |
| Court house/Justice center | 1 space per 300 sf. (excluding court room) + 1 space per 4 seats or 1 space per 75 sf. of courtroom space with no fixed seating |
| Probation or parole office | 1 space per 250 sf. |
| Weapons Firing Range | 1.5 spaces per shooting station |
| **Community Recreation** | |
| Community/Youth activity center | 1 space per 500 sf. or by parking analysis specific to the facility and location |
| Club or Lodge, Social Club, Charitable organizations | 1 space per 200 sf. |
| Community park with active recreation facilities (public swimming pools, playgrounds, recreational sports fields and courts ) | Active Recreation: 20 spaces per acre<br>Swimming Pools: 1 space per 150 sf. of pool area including pool deck<br>2 spaces per tennis, racket ball, or hand ball court<br>20 spaces per soccer, baseball or softball field; or 1 per 4 seats, whichever is more<br>Note: on-street parking on local streets abutting parks may be counted towards required parking |
| Fair Grounds | 1 space for every 4 occupants based on maximum permitted occupancy |
| Neighborhood center | 1 space per 500 sf.<br>Note: on-street parking on abutting local streets may be counted towards meeting parking requirements |

| Table 6.7.3 Parking Ratio Table | |
|---|---|
| **LAND USE** | **MINIMUM REQUIRED PARKING** |
| Neighborhood park | Based upon analysis of uses provided in park and proximity to homes<br>Note: on-street parking on local streets abutting facility may be counted towards required parking |
| Riding and hiking trails (recreational) | At trail head as determined by Zoning Administrator |
| **Cultural** | |
| Cemetery, Columbarium, Mausoleum | None, if internal circulation is adequate for parallel parking |
| Library, Museum, cultural center, art gallery, performing arts | 1 space per 300 sf. |
| Memorial hall, Cry house. | 1 space per 50 sf. of largest assembly area + 1 space per 300 sf. office area |
| Places of worship (20,000 SF. Or less on-site) | 1 space per 50 sf. of assembly area + 1 space per 300 sf. other areas |
| Places of worship (20,001 SF. Or more on-site) | 1 space per 50 sf. of assembly area + 1 space per 300 sf. other areas |
| **Educational Institutions** | |
| College or University | 1 space per 200 sf. |
| Community Public or Private School | 1 space per 300 sf. of classroom + 1 space per 300 sf. of office |
| Vocational, technical and trade schools | 1 space per 200 sf. of classroom |
| Vocational, technical and trade schools, Agricultural-related | 1 space per 200 sf. of classroom |
| Wildlife preserves, desert preserves, nature preserves, culturally significant, historic or archeological areas | Parking for trail head or educational facilities as determined at time of approval by Zoning Administrator |
| **OFFICE / PROFESSIONAL SERVICES** | |
| Automatic Teller Machine (ATM) | No additional parking spaces |
| Financial Institution | 1 space per 300 sf. |
| Business, Professional and Corporate Headquarters offices | 1 space per 300 sf. |
| Intensive office use, Call centers | 1 space per 300 sf. |
| **Medical Services** | |
| Ambulance services (private/commercial) | 3 spaces per emergency vehicle |
| Assisted living facility | 0.33 spaces per resident in development with undistinguishable dwelling units (studios or rooms) plus 1 space per 300 sf. office and 1 space per 150 sf. common kitchen work area |
| Health and welfare center | 1 space per 250 sf. |
| Hospice | 1 space per bed |
| Hospital | 1.5 spaces per bed |
| Hospital - psychiatric | 1 space per 300 sf. office + 0.5 spaces per bed |
| Medical office / clinic | 1 space per 250 sf. |
| Medical testing center | 1 space per 200 sf. |
| Medical treatment center | 1 space per 250 sf. |
| Nursing home | 1 space per 300 sf. |
| Rehabilitation center - behavioral | 1 space per 300 sf. office + 0.5 spaces per bed |

| Table 6.7.3 Parking Ratio Table | |
|---|---|
| **LAND USE** | **MINIMUM REQUIRED PARKING** |
| Rehabilitation center - medical | 1 space per 300 sf. office + 0.5 spaces per bed |
| Urgent care facility | 1 space per 100 sf. |
| **COMMERCIAL / RETAIL SALES / SERVICES / TRADES** | |
| **Animal-Related Services** | |
| Animal Crematory | 1 space per 300 sf. |
| Animal hospital | 1 space per 250 sf. office + 1 space per 600 sf. other indoor area |
| Kennel | 1 space per 350 sf. |
| Pet day care | 1 space per 250 sf. |
| Pet grooming | 1 space per 250 sf. |
| Veterinary clinic | 1 space per 250 sf. |
| **Services** | |
| Day care center (children or adult) | 1 space per 300 sf. |
| Day care - home-based (children or adult) | 1 space per 300 sf. after first 350 sf. of indoor daycare area. + spaces for residence |
| Dry Cleaning drop off/pick-up | 1 space per 200 sf. |
| Laundromat | 1 space per 200 sf. |
| Maintenance and repair services | 1 space per 350 sf. |
| Personal services | 1 space per 250 sf. |
| **Retail Sales** | |
| Shopping Center ≤ 60,000 sf. | Sum of parking required for individual uses |
| Shopping Center > 60,000 sf. | 1 space per 250 sf. |
| Business Services | 1 space per 250 sf. |
| Convenience stores with auto fuel sales | 1 space per 250 sf. parking provided at fueling service count toward convenience store parking |
| Food catering service | 1 space per 300 sf. |
| Garden center | 1 space per 500 sf. of first 2,500 sf. indoor sales area + 1 space per 1,000 sf. remaining indoor area + 1 space per 2,000 sf. parking for outdoor sales area |
| General Market | > 10,001 sf., 1 space per 300 sf.<br>< 10,000 sf., 1 space per 250 sf. |
| General Merchandise | 1 space per 250 sf. |
| Pet store/Retail sale of pets, pet food and supplies | 1 space per 250 sf. |
| Pharmacy | 1 space per 250 sf. |
| Restaurant – Full Service | 1 space per 120 sf. + 1 space per 200 sf. outdoor dining for area over 300 sf. |
| Restaurant – Limited Service | 1 space per 75 sf. + 1 space per 200 sf. outdoor dining for area over 300 sf. |
| Secondhand/Consignment Stores | 1 space per 250 sf. |
| Thrift Stores | 1 space per 350 sf. |
| **Outdoor Vending** *(All requirements are in addition to parking for indoor areas)* | |
| Building, landscape, or construction materials | 1 space per 1,000 sf. outdoor sales area |

| Table 6.7.3 Parking Ratio Table | |
|---|---|
| **LAND USE** | **MINIMUM REQUIRED PARKING** |
| Drive-through sales or service (for financial institution, pharmacy, dry cleaners, automatic teller machine (ATM), Etc.) | 3 spaces per drive aisle |
| Drive-through service (restaurant) | 5 queuing spaces per drive-through window + 1 space at each built service window |
| Farmers or Flea market (with permanent facilities) | 1 space per 250 sf. of merchandise display and pedestrian circulation area<br>May share the parking provided for a permanent use during off peak hours or during the hours the use is closed. Written agreement between parties is required |
| Farmers or Flea Market (without permanent facilities) | To be determined during the Special Use Permit (SUP) process. |
| Manufactured Home/Factory built building sales | 1 space per 250 sf. sales area plus 1 space per display home |
| Mobile Vendor | 1 space per vendor that is not required for other uses on the site per Article 6.7 |
| **Automobile and Light Vehicle Sales, Service and Maintenance**<br>*Parking for vehicles being serviced, sold or rented is in addition to required parking below* | |
| Auction | 4 spaces + 1 space per 1000 sf. of indoor or outdoor inventory display area |
| Auto/Light vehicle rental | 1 space per 300 sf. |
| Auto/Light vehicle rental pickup | 1 space per 300 sf. |
| Auto/Light vehicle sales and leasing (indoors) | 1 space per 300 sf. office area |
| Auto/Light vehicle sales and leasing (outdoors ) | 1 space per 300 sf. office + 1 space per 50 vehicles displayed for sale or lease |
| Electric Charging Stations accessory to parking areas | No parking required beyond what is required for principal land use/s. |
| Electric Charging Stations stand alone | 2 spaces per charge point + 1 space per 300 sf. office + parking for related uses (e.g., convenience store, car wash) |
| Fleet services | 1 space per 300 sf. service bays and office space |
| Maintenance shop (brake, car wash/detail, muffler, oil and filter change, and tire shops, window replacement shop) | 1 space per 300 sf. service bays and office space |
| Mechanical repair shop, body shop, paint shop | 1 space per 300 sf. service bays and office space |
| Service station, automobile light vehicle fuel, gas station with or without convenience shop, car wash | 1 space per service + one queuing space on each end of each service drive aisle + parking for related uses (e.g., convenience store, car wash) |
| **Commercial / Heavy Vehicle and Equipment**<br>*Parking for vehicles being serviced, sold or rented are in addition to required parking below* | |
| Commercial/heavy vehicle and equipment sales, leasing, or rental | 1 space per 300 sf. |
| Maintenance shop, mechanical repair shop | 1 space per 300 sf. |
| Truck Stop/Truck Fuel Sales | 1 space per service + 1 queuing space on each end of each service drive aisle + parking for each use: café / restaurant, convenience store. Parking at fuel pumps count towards convenience store parking. At least 50% of parking shall accommodate large vehicles |

| Table 6.7.3 Parking Ratio Table | |
|---|---|
| **LAND USE** | **MINIMUM REQUIRED PARKING** |
| **LODGING** | |
| Dormitory | 0.5 space per bed |
| Hotel/Motel/Inn | 1 space per hotel room + 1 space per 300 sf. of office and conference room + parking for accessory uses, restaurant, retail sales, with allowances for shared parking when demonstrated |
| **ENTERTAINMENT & COMMERCIAL RECREATION** | |
| **Outdoor Recreational Uses** | |
| Commercial swimming pools, Water park | 1 space for each 3 patron seats or 1 space for each 300 gross square feet of area recreation area and areas devoted to patron services, whichever is greater |
| Equestrian-oriented arena, Polo field, Rodeo | 1 space per 3 seats + 1 space per anticipated participant based on parking analysis approved by Zoning Administrator |
| Miniature golf, go-cart track | Miniature golf course 3 spaces per hole; Go-cart track 1 space per 1000 sf.<br>plus 50% of spaces required for any ancillary uses (office, restaurant, arcade, etc.) based on parking ratios for those uses |
| Stage/theatre/amphitheater (small scale or accessory use) | 1 space per 65 sf. audience seating area including circulation + one space per 100 sf. stage area<br>As accessory use: No additional parking or based on parking analysis approved by Zoning Administrator |
| Recreation lakes and/or campgrounds | 1 space at each camping space, plus 1 space for each camping spaces which shall be located at the office if one is provided<br>Lakes - Based on parking study and analysis approved by Zoning Administrator |
| Sports fields, sports courts (commercial) | 1 space for every 3 seats or 1 per 3 occupants based on maximum permitted occupancy |
| Street performers, outdoor performing arts or demonstrations as an occasional amenity to existing businesses on the same site | No additional parking required |
| Zoo, wildlife exhibits | 1 space for every 3 occupants based on maximum permitted occupancy |
| **Indoor Recreational Uses** | |
| Equestrian-oriented arena (equestrian-related riding/rodeo polo) | 1 space for every 3.5 occupants based on maximum permitted occupancy |
| Health/fitness center, gymnasium, indoor ball courts | 1 space per 175 sf. |
| Lodge, club, civic-oriented organization | 1 space per 150 sf. |
| Museum | 1 space per 300 sf. |
| Cinema:<br>Single screen or stage<br>2 – 5 screens<br>5 or more screens | <br>1 space per 2 seats<br>1 space per 3 seats<br>1 space per 3.5 seats |
| Recreational Facilities | 1 space per 150 sf. |
| Studio for teaching arts, dance, martial arts, music, yoga, etc. | 1 space per 150 sf. |
| Wildlife exhibits | 1 space for every 3 occupants based on maximum permitted occupancy |

| Table 6.7.3 Parking Ratio Table | |
|---|---|
| **LAND USE** | **MINIMUM REQUIRED PARKING** |
| **LARGE ENTERTAINMENT VENUES** | |
| Amphitheater | 1 space per 65 sf. audience seating area including circulation + one space per 100 sf. stage area |
| Amusement park, theme park | Per parking study for the specific use as approved by the Zoning Administrator |
| Aquarium | 1 space per 4 seats |
| Casino or gaming facilities (Community only) | 1 space per 50 sf. gaming area + 50% of required parking for accessory restaurants and miscellaneous retail sales + parking for office and other uses |
| Driving range, golf course | 1 space per tee (or 1 per 20 linear feet of tee-off area when tees are not well defined) + 50% of parking required for other uses (pro shop, office, restaurant, etc.) based on parking ratios for those uses |
| Exhibition or convention center | 1 space for every 3 occupants based on maximum permitted occupancy |
| Golf course | 3 spaces per hole + 50% of parking required for accessory uses based on standards for those uses (e.g., driving range, retail, pro shop, office, restaurant) |
| Performing arts theater | 1 space per 3 seats |
| Race track | 1 space per 3 seats |
| Stadium, arena, concert hall | 1 space per 3 seats or 1 space per 3 occupant capacity |
| **INDUSTRIAL** | |
| **Light Industrial** | |
| Artisan handcraft industry | 1 space per 350 sf. |
| Building and related trades | 1 space per 500 sf. |
| Data center | 1 space per 500 sf. first 2,000 sf. + 1 space per each additional 5,000 sf. |
| Food preparation facility | 1 space per 500 sf. of the first 10,000 sf. then 1 space per 1,000 sf. of the remaining floor area |
| Laboratory-material testing | 1 space per 300 sf. office or laboratory + 1 space per 1,000 sf. other areas |
| Light Assembly | 1 space per 600 sf. |
| Motion Picture Site/Studio | 1 space per 1,000 sf. |
| Printing/publishing | 1 space per 500 sf. |
| **Research / Development** | |
| Product development, research and testing (medical, biological, and/or pharmaceutical) | 1 space per 300 sf. office or laboratory + 1 space per 1000 sf. other areas |
| Product development, research and testing (other than medical, biological, pharmaceutical) | 1 space per 300 sf. office or laboratory + 1 space per 1000 sf. other areas |
| **General Industrial / Manufacturing** | |
| Asphalt or concrete batch plant | 1 space per employee |
| Food and beverage manufacturing/processing for wholesale or distribution for resale | 1 space per 500 sf. of the first 10,000 sf. then 1 space per 1,000 sf. of the remaining floor area |
| General manufacturing and assembly | 1 space per 750 sf. of total floor area |
| Mining, extraction, processing, storage and sale of extracted materials | 1 space per employee |

| Table 6.7.3 Parking Ratio Table | |
|---|---|
| **LAND USE** | **MINIMUM REQUIRED PARKING** |
| **STORAGE, WAREHOUSING AND WHOLESALING** | |
| Bulk storage and/or distribution of volatile or hazardous substances including propane, petroleum products | 1 space per 250 sf. office area + .75 spaces per employee per shift |
| Bulk outdoor storage and/or distribution of non-volatile, non-hazardous materials | 1 space per 250 sf. office area + .75 spaces per employee per shift |
| Contractor's yard | 1 space per 250 sf. office area + 1 space per 400 sf. of maintenance shops, plus 1 space per 4 acres |
| Distribution center | 1 space per 800 sf. GFA |
| Frozen food lockers | 2 spaces + 3 spaces per 1000 sf. of floor area over 2500 sf. |
| Heavy equipment, commercial vehicles outdoor storage yard | 1 space per 250 sf. office or 1 space per acre, whichever is more |
| Indoor office-storage facility | 1 space per 1500 sf. |
| Outdoor self-service storage warehouse, including outdoor vehicle storage | 1 space per 300 sf. office area |
| Outdoor material storage and distribution (pipe yards, construction supplies, building materials, materials used in heavy construction) | 1 space per 250 sf. office or 1 space per acre |
| Showroom in conjunction with a permitted use | 1 space per 500 sf. |
| Urban distribution center (Product fulfillment center) | 1 space per 800 sf. GFA |
| Warehouse | 1 space per 300 sf. office area + 1 space per 2000 sf. first 10,000 sf., + 1 space per each additional 10,000 sf. |
| **Waste / Recycling-Related Uses** | |
| Collection containers or drop-off location for recyclable material (e.g., cans, newspapers) or donated articles (e.g., clothing, shoes) | No spaces if shared parking is available within 50 feet otherwise 2 spaces per collection bin |
| Landfill /Dump | 1 space per 250 sf. office / weight station and one (1) space per employee |
| Recycled materials collection, processing and transfer station | 1 space per 250 sf. office area + 1 space per 1,000 sf. material sorting and processing area + two spaces per collection vehicle dispatched from the site |
| Salvage yard | 1 space 250 sf. office + 1 space per 4 acres |
| **UTILITIES AND INFRASTRUCTURE** | |
| **Communication Facilities** | |
| Amateur radio antenna up to 35 feet in height | No parking required |
| Amateur radio antenna over 35 feet in height | No parking required |

| Table 6.7.3 Parking Ratio Table | |
|---|---|
| **LAND USE** | **MINIMUM REQUIRED PARKING** |
| Commercial Transmitting/Receiving Facilities<br>Public Safety Wireless Communications Facilities<br>Wireless communication facilities - Commercial | 1 space per facility |
| Public Safety Wireless Communications Facility | No parking required |
| Commercial Wireless communication facilities | No parking required |
| Commercial transmitting / receiving facilities (office) | 1 space per 250 sf. office + 1 space per user |
| **General Utilities** | |
| Electric Power Substation | 1 space per substation |
| Natural gas compressor or odorizer station | 1 space per station |
| Potable Water Treatment and/or Storage Facility | 1 space per 250 sf. office + 1 space per 4 acres (minimum 3 spaces) |
| Utilities distribution (electric, water, gas, sewer, stormwater, communications) | No parking required |
| Wastewater treatment facility (sewage/reclaimed water) | 1 space per 250 sf. office + 1 space per 4 acres (minimum 3 spaces) |
| **Power Generation** | |
| Power generation facilities primarily serving off-site use such as windmills, solar farms, water or fuel based generation | 1 space per 250 sf. office + 1 space per 4 acres (Minimum 1 space) |
| Power generation facilities primarily serving uses on-site (e.g., solar, wind) | 1 space per 300 sf. office space dedicated to power generation operation |
| **Transportation-Related Facilities** | |
| Airport | Parking analysis study required |
| Commercial or public parking lot primarily serving needs of offsite uses within the SRP-MIC | n/a |
| Freight Truck Terminal | 1 space per 500 sf. or if known, 1 space per 300 sf. office area + 1 space per 2000 sf. first 10,000 sf., + 1 space per each additional 10,000 sf. |
| Helipad/Heliport | Requirements determined at time of application |
| Park and ride lot | n/a |
| Transit passenger terminal, bus station, train depot | 1 per 200 sf. |
| **Bicycle Parking** | |
| Nonresidential uses | 0.5% (1/2 of 1%) of auto parking spaces provided whichever is more |
| Multifamily uses | 1 bicycle parking space per dwelling unit |

| Table 6.7.3 Parking Ratio Table | |
|---|---|
| **LAND USE** | **MINIMUM REQUIRED PARKING** |
| Calculation of required parking:<br>1. Parking requirements for large commercial centers or large office complexes with multiple uses are calculated using the more general category.<br>2. Smaller sites with one or various types of uses are calculated based on the parking ratio of each specific use. (e.g., a retail shopping center of 65,000 sf. would be calculated at a ratio of 1 space per 250 sf. rather than by the sum of parking required for each type of commercial use.)<br>3. Square feet (sf.) of floor area is based on gross square footage of the use.<br>4. Bedrooms are as defined in the Community's adopted building code.<br>5. Seating consisting of benches or pews is based on 1 seat for each 20 linear inches of bench or pew.<br>6. When seating is not fixed within a meeting or gathering area, parking is calculated at the required spaces per square foot of the area or 1 space per 50 sf. if no requirement based on area is stated.<br>7. Parking based on employees is calculated for the shift with the largest number of employees.<br>8. Parking for fleet vehicles, vehicles used by business, inventory of vehicles for sale or vehicles being maintained or repaired are in addition to the parking required in this Table.<br>9. Parking provided for used by handicapped persons shall conform to the Americans with Disabilities Act (ADA) and the ICC-ANSI standards as adopted by the SRP-MIC. | |

C. **Parking requirements for uses not listed.** Parking requirements for a use not specifically listed in Table 6.7.3 shall be determined by the Zoning Administrator based on:

1. The requirements for the closest comparable land use with similar parking demand and/or trip generation characteristics using data from current professional publications such as those published by the Institute of Transportation Engineers or the Urban Land Institute.
2. Alternatively, an applicant may submit empirical data or a parking demand analysis for the land use(s) that is/are acceptable to the Zoning Administrator documenting the parking requirements of the proposed land use.

D. **Alternative parking ratio.** Where a parking requirement is projected to generate a parking demand that is substantially different than that in Table 6.7.3, the applicant may request an alternative parking ratio for the use by submitting a parking demand analysis approved by the Zoning Administrator justifying the alternative parking ratio.

1. The analysis may include empirical data from the use, a similar use or a similar circumstance.
2. The Zoning Administrator may request that a parking demand analysis be in general conformance with SRP-MIC legal requirements and/or be signed and sealed by a professional transportation engineer.

*Alternative parking ratios may apply to uses with a unique nature or operation, businesses with an unusually large number of pedestrian clientele and/or employees, businesses for which mass transit is provided for clientele and/or employees, businesses with fewer than the typical number of employees, and businesses that exclusively serve clientele off site.*

E. **Temporary use of parking areas.** Required parking areas may be used on a temporary basis for the sale or display of goods, special events or outdoor markets, subject to a Special Use Permit.

F. **Prohibited parking.**

1. Use of parking areas for overnight occupancy within any shelter, trailer, recreational vehicle or vehicle of any kind is prohibited, except in accordance with SRP-MIC legal requirements.
2. Vehicles that are not in operating condition or that do not have a required valid state registration shall not be stored or parked on a street.
3. Prohibited parking locations. Parking is prohibited:
   a. On streets not specifically designed for parking.
   b. At locations not designated for parking on an approved site plan.
   c. At locations that block a building entrance.
   d. In areas needed for access to loading ramps or bay doors.
   e. Within cross access streets between sites.

G. **Accessible parking spaces.** Accessible parking spaces shall be provided in compliance with the Americans with Disabilities Act and approved SRP-MIC building code amendments.

H. **Compact car parking spaces.** Up to twenty (20) percent of the total required parking spaces may be compact spaces (16’ x 8.5’), if these spaces are disbursed and identified as compact spaces through signage or pavement markings.

I. **Motorcycle parking spaces.** Up to three (3) percent of the total required parking spaces may be motorcycle parking spaces.

J. **Bicycle parking.** Bicycle parking is required for multi-family residential buildings and nonresidential development as indicated in Table 6.7.3. No use shall be required to provide more than fifty (50) bicycle parking spaces.

K. **Bus and oversized vehicle parking.**

1. Parking for buses in lieu of standard spaces is permitted in parking lots that have over one hundred and fifty (150) required standard parking spaces. Each bus space provided per fifty (50) standard spaces is counted as six (6) required standard parking spaces. Additional bus parking spaces may be provided but only one (1) bus space per each fifty (50) standard spaces applies towards reducing the number of standard spaces provided.

> Example: A site requiring 200 standard parking spaces may incorporate 200/50 or 4 bus parking spaces.
>
> Each bus parking space can be counted as 6 standard parking spaces.
>
> If four (4) bus spaces are provided, the required number of standard parking spaces needed would be calculated as 200–(4x6) = 176.

2. Bus parking spaces may be designated by striping and the words “bus parking only” in letters eight (8) inches high painted on the parking lot surface at the entrance and exits of those spaces.
3. Where bus parking is anticipated to be used on a regular basis, a bus loading and unloading area should be provided in a manner that does not disrupt other vehicular circulation.
4. Oversized parking spaces measuring at least ten (10) feet in width and thirty-six (36) feet in length that are not specifically designated for use by buses, recreational vehicles, limousines and other large vehicles shall count as two (2) required parking spaces if they are also available for use by standard size vehicles.

L. **Tandem parking.** Tandem parking is not permitted except for parking that serves single-family uses or in parking lots that are being managed by a valet parking service.

M. **Valet parking.** Valet parking may be permitted as a means of satisfying required parking when all of the following standards are met:

1. The business owner shall provide an affidavit agreeing to provide continual valet services as a condition of the land use.
2. Adequate assurance of the continued operation of the valet parking is provided, such as a contractual agreement for valet services or, if provided off-site, a deed restriction, lease or similar.
3. An equivalent number of valet spaces are available to replace the number of required parking spaces. The valet spaces may use tandem parking of vehicles.
4. The valet parking is provided free or at the same cost as non-valet parking.
5. Passenger loading and unloading areas shall meet ADA standards and shall not cause queuing into any street.
6. Passenger loading and unloading area shall be clearly marked and shall not interfere with the fire lane or fire equipment staging area access.

N. **Ride Sharing.** Ride sharing is encouraged. Vehicle pick-up and drop area standards can be found in Section 6.7.6.J.

### *Section 6.7.4 Off site and remote parking*

A. All off-site or remote parking spaces used to meet minimum parking requirements for a use shall be located in a zoning district that permits the use served by the parking or permits uses of similar or higher intensity than the use served.

B. A sidewalk or pedestrian path shall connect any off-site or remote parking space directly, safely and conveniently to the use being served, as determined by the Zoning Administrator.

C. Where warranted crosswalks, curb extensions and traffic calming or traffic controls shall be provided.

D. Parking off-site or in remote locations shall not be separated from the use it serves by a primary thoroughfare such as an urban arterial or urban major collector street.

E. Remote parking spaces shall be under the control of the use requiring the parking through ownership, lease, deed restriction or other valid legal agreement.

F. Remote parking shall be located within five hundred (500) feet for customers or visitors and one thousand (1,000) feet for employees from the entrance of the building served by the parking.

G. **On-Street parking.**

1. Parking is not permitted within any arterial or urban collector street right-of-way.
2. On-street parking for commercial or industrial uses shall not be placed on streets abutting an AR zoning district that is within the area designated A/LDR or Open Space on the General Plan land use map.
3. Streets used for parking shall have a posted speed limit of twenty-five (25) miles per hour or less and be specifically improved to accommodate parking and pedestrians including walkways. Curb extensions and crosswalks may be required where necessary.
4. Where on-street parking is used to meet parking requirements of more than one use, parking shall be allocated in the same manner as on-site parking or a shared parking analysis shall be provided per Section 6.7.5.

## *Section 6.7.5 Shared parking*

A. The Zoning Administrator may authorize parking spaces to be shared by more than one use if:

1. The use is an accessory use that does not generate additional parking demand, relies upon a captive market created by the primary use, does not function independent of the primary use and there is adequate parking for the primary use; or
2. The uses that share the parking facilities are not in operation at the same time and the available parking will meet the parking needs of the use with the largest parking requirement.

B. **Shared Parking Analysis required.**

1. A shared parking analysis shall be submitted that demonstrates that the peak parking demand of the combination of all uses sharing the parking will not exceed the available parking.
2. If an alternative parking ratio other than those in Table 6.7.3 is part of a shared parking analysis, justification of the alternative parking ratio must be submitted along with a shared parking analysis.
3. When different persons are in control of the parking areas to be shared, an executed deed restriction or other valid legal agreement shall be provided to the Community and contain a description of the uses sharing the parking, the location of the parking areas involved, and assurance of the continued use of the shared parking facilities for the duration of the related businesses.

C. **Management of developments with reduced parking requirements.**

1. Development applications that propose a change of use in an approved shared parking arrangement shall update the shared parking analysis with an up-to-date inventory of the uses sharing the parking, including occupied and vacant tenant spaces, and shall demonstrate that the shared parking will meet the parking demand with the proposed uses.
2. If the Zoning Administrator determines that parking demand is not being met by the parking provided, the Zoning Administrator may require an updated shared parking analysis and/or additional parking to be provided.

## *Section 6.7.6 Parking area development standards*

A. **Additional requirements.** Parking lot design and improvements shall conform to all other applicable standards in this ordinance, including, but not limited to, vehicular and pedestrian circulation, landscaping and outdoor lighting.

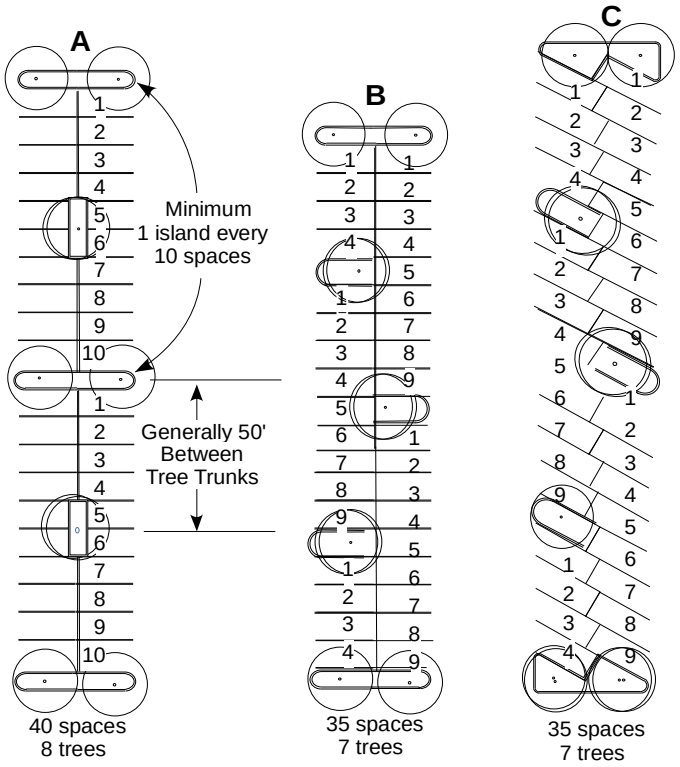
B. **Maintenance.**

1. All paved areas shall be kept free from dust, loose particles and trash at all times.
2. All striping, pavement, curb and crosswalk markings and signage shall be kept in a state that is clearly legible.
3. All landscape shall be maintained per Section 6.3.4.H.
4. All parking lot improvements shall be maintained to function as intended when approved.

C. **Landscape islands and medians.**

1. All parking areas shall include:
   a. The minimum total number of landscape islands provided shall be equal to one island for every five (5) parking spaces provided, arranged so that:
      1). One landscape island is provided at the ends of each row of parking spaces.
      2). Not less than one parking island is provided between each ten (10) consecutive adjacent parking spaces.

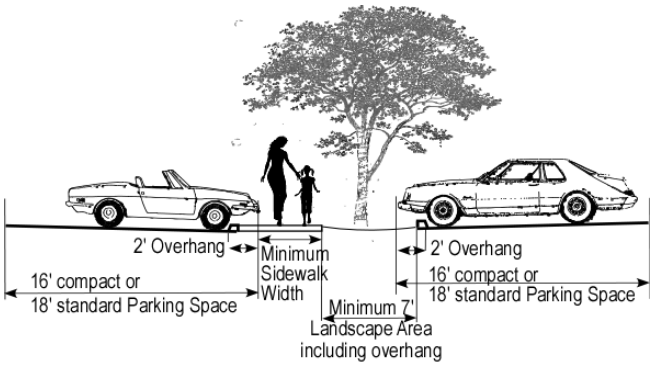
**Example parking lot landscape island layout**




Landscape islands accommodating 1 Tree per 5 Parking Spaces
Islands at ends of rows and between not more than 10 parking spaces
Approximately 50' between tree trunks in the same or abutting row
distributes shade evenly.

2. All landscape islands, medians, and planting areas shall conform to the following:
   a. Extend the full length of the abutting parking space.
   b. Islands parallel to parking spaces shall have a minimum planting area dimension of five (5) feet and contain no less than eighty-two (82) square feet of pervious area.
   c. Islands perpendicular to parking spaces shall have a minimum planting area dimension of four (4) feet and contain no less than 68 square feet.
   d. Medians within parking areas shall have a minimum planting area width of five (5) feet with a minimum of sixty eight (68) square feet of pervious area per tree.

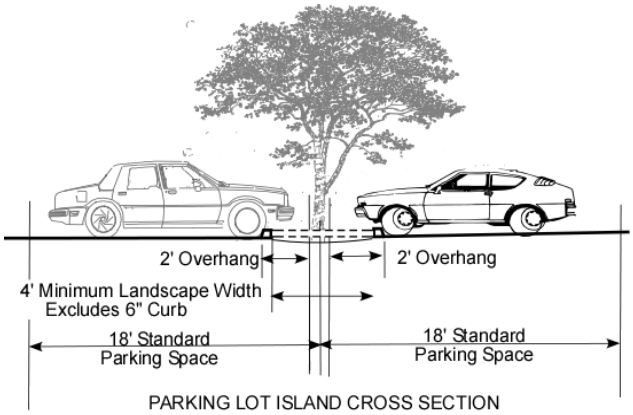
e. All minimum planting area widths for perpendicular islands include a two (2) foot vehicle over hang but are exclusive of impervious surfaces such as sidewalks or curbs.




MEDIAN WITH WALKWAY

D. **Vehicle overhangs.** Vehicle overhangs up to a maximum of two (2) feet in depth:

1. May overhang parking lot landscape islands and medians (including the permeable portion of the landscape island or median).
2. May be considered part of the required length of the parking space and part of the minimum width of impervious area within landscape islands and medians.
3. Shall not be considered part of any walkway width, base area, or landscape setback.
4. Shall include a curb or wheel stop at least four (4) inches and not exceeding six (6) inches in height to prevent the vehicle overhang from:
   a. Reducing a sidewalk, pedestrian path, or base area below the minimum required width.
   b. Encroaching into a right-of-way or adjacent site.
   c. Interfering with the base of a structure, landscaping, utility equipment, or light pole.




PARKING LOT ISLAND CROSS SECTION

E. **Shade structures.**

1. Parking spaced covered by a permanment shade structure are exempt from the required landscape islands and trees except that landscape islands shall be provided at the ends of row of each covered parking structure.
2. The maximum number of covered spaces without a landscape island is fifteen (15) spaces.
3. One (1) uncovered parking space between landscape islands and shade structures is required to permit uninhibited growth of trees in the landscape island.
4. The Solar Reflective Index on shade structures with flat or low-slope roofs should be between seventy (70) and fifty-eight (58) and should not exceed twenty-nine (29) on steep roofs (rise/run ratio over 4:12).

F. **Storm water management.** Harvesting and percolation of storm water into the soil shall be maximized by directing flows to and through landscape areas prior to detention areas per Article 6.4.

G. **Fire lanes.** Fire lanes are required per the Salt River Fire Department and must be a minimum of 26 feet wide.

H. **Vehicle circulation within parking areas.**

1. Rows of parking longer than three hundred (300) feet shall be broken by drive aisles.
2. Parking lots with more than two hundred and forty (240) parking spaces should be broken up into smaller parking areas through site layout, building placement, or by landscaped medians / drainage ways or shaded pedestrian walkways.

I. **Pedestrian circulation within parking areas shall comply with the following**.

1. Pedestrian connections within the parking lot shall comply with pedestrian circulation elements per Section 6.5 Circulation and connect to destinations served by that parking.
2. Pedestrian circulation within parking lots.
   a. Pedestrian circulation systems shall be included in the design of parking areas and shall be coordinated with the pedestrian circulation system of a development.
   b. Pedestrian connections and circulation loops shall be coordinated with other pedestrian circulation elements pursuant to Section 6.5 Circulation.
   c. To the extent practical pedestrian loops shall not be longer than twelve-hundred and fifty (1250) feet.
   d. To the extent practical, pedestrian facilities shall be arranged so that no parking space is farther than one hundred and fifty (150) feet from a sidewalk that connects through the pedestrian circulation system to destinations served by that parking.
   e. Parking spaces serving the public shall be located within five hundred (500) feet of the use they serve or within one thousand (1000) feet, if serving employees, as measured along the walking path.
   f. Sidewalks within parking areas shall be:
      1). A minimum width of five (5) feet, excluding vehicle overhangs.
      2). Located within landscape medians or islands separated from vehicular areas, except at crosswalks.
      3). Excluded from the minimum impervious landscape width and area requirements.
      4). Shaded by landscaping or shade structures over at least forty (40) percent of the walkway surface.
   g. Circulation within the parking area shall be designed to minimize conflicts between pedestrian and vehicular traffic.

J. **Vehicle Pick-up and Drop-off Areas.** Uses and locations that have a greater need for pick-up and drop-off zones due to ride sharing may be allowed a reduction in required parking spaces.

1. A parking demand analysis, as per Section 6.7.3.D shall be submitted to the Zoning Administrator demonstrating that a reduction in parking spaces is warranted. The Zoning Administrator shall make the final determination on any reduction in parking spaces.
2. Vehicle pick-up and drop-off areas shall not interfere with safe and direct pedestrian access from parking areas to and from the building entrance(s).
3. Vehicle pick-up and drop-off shall be clearly marked and shall not obstruct fire lane or fire equipment staging area access.
4. Vehicle pick-up and drop-off areas shall meet ADA requirements for passenger loading zones.

K. **Fleet Parking.** Parking areas for vehicle fleets or trucks stored on site:

1. Are exempt from required landscaping internal to the parking area.
2. Shall not be placed adjacent to a street for length greater than 120 linear feet.
3. All such areas shall be identified on an approved site plan, separated from employee or customer parking areas, and screened in accordance with Section 6.3.9.

## *Section 6.7.7 Parking area dimensional standards*

A. Parking spaces for standard and compact automobiles shall comply with Figure 6.7.7 and related Table 6.7.7.

Figure 6.7.7

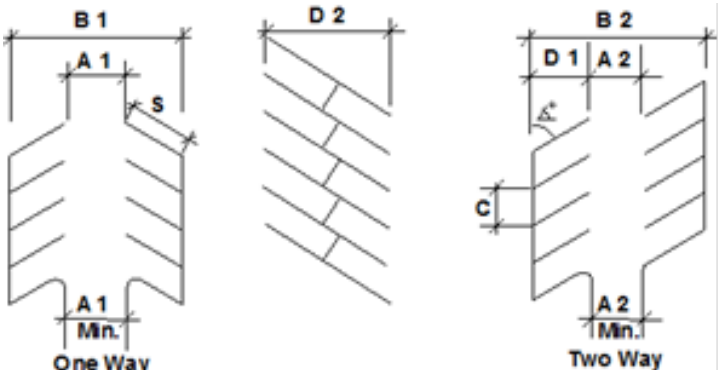



**Table 6.7.7 Standard Parking Area Dimensions**

| | | STALL DEPTH | | AISLE WIDTH | | BAY WIDTH | | |
|---|---|---|---|---|---|---|---|---|
| **Parking Angle** | **Curb Length** | **Single** | **Double** | **One Way** | **Two Way** | **One Way** | **Two Way** | **Stripe Length** |
| | **C** | **D 1** | **D 2** | **A 1** | **A 2** | **B 1** | **B 2** | **S** |
| **Short Term Parking** (retail customers, visitors) | | | | | | | | |
| 90° | 9’ | 18’ | 36’ | 24’ | 24’ | 60’ | 60’ | 18’ |
| 60° | 9’10” | 20’ | 35’ 8” | 18’ | 18’ | 58’ | 58’ | 23’ |
| 45° | 12’ | 19’ | 31’ 10” | 16’ | 18’ | 54’ | 56’ | 27’ |
| 30° | 20’ 1” | 16’ 7” | 25’ 6” | 12’ | 16’ | 45’ 2” | 49’ 8” | 33’ 6” |
| 0° | 22’ | 8’ | 16’ | 12’ | 16’ | 28’ | 32’ | 8’ |
| **Long Term Parking** (employees) | | | | | | | | |
| 90° | 8’ 6” | 18’ | 36’ | 24’ | 24’ | 60’ | 60’ | 18’ |
| 60° | 9’10” | 20’ | 35’ 8” | 18’ | 18’ | 58’ | 58’ | 23’ |
| 45° | 12’ | 19’ | 31’ 10” | 16’ | 18’ | 54’ | 56’ | 27’ |
| 30° | 17’ 3” | 16’ 3” | 25’ 1” | 12’ | 16’ | 42’ 6” | 46’ 6” | 33’ 6” |
| 0° | 22’ | 8’ | 16’ | 12’ | 16’ | 28’ | 32’ | 8’ |
| **Compact Parking** | | | | | | | | |
| 90° | 8’ | 16’ | 32’ | 24’ | 24’ | 56’ | 56’ | 16’ |
| 60° | 9’ 3” | 19’ 6” | 35’ 11” | 18’ | 18’ | 54’ | 54’ | 22’ 6” |
| 45° | 11’ 4” | 18’ 3” | 31’ 1” | 16’ | 16’ | 52’ 6” | 52’ 6” | 26’ |
| 30° | 16’ | 16’ | 24’ 11” | 12’ | 16’ | 44’ | 48’ | 31’ 10” |
| 0° | 22’ | 8’ | 16’ | 12’ | 16’ | 28’ | 32’ | 8’ |

B. **Bicycle parking.** Bicycle parking spaces shall:

1. Measure at least two (2) feet by six (6) feet.
2. Be located near building entrances in convenient, visible, lighted areas without interfering with pedestrian movements.
3. Be connected to the path or roadway and the building entrance by a hard surface.
4. Not encroach into any required landscaping, driveways, vehicle parking spaces, sidewalks or pedestrian access areas.
5. Include well anchored racks or lockers that:

a. Are not easily removed and are of solid construction, resistant to rust, corrosion, hammers and saws.

b. Allow both the bicycle frame and one wheel to be easily locked to the rack or anchor without interference from adjacent bicycles.

Racks should be designed so bicycles can be fully secured using a thirty (30) inch long cable or a standard U-lock.

C. **Motorcycle parking spaces.** Motorcycle parking spaces shall measure a minimum of four (4) feet wide by eight (8) feet in depth, be parallel to any adjacent angle parking spaces, be clustered together, and be clearly marked with striping and signage.

D. **Bus and large vehicle parking spaces.** Each off-street parking space for a bus or large vehicle shall consist of a rectangular area not less than twelve (12) feet wide by forty (40) feet long and shall be designed for entry and exit by forward motion of the vehicle.

E. **Loading area requirements.** Uses receiving or distributing materials or merchandise by truck shall provide adequate off-street loading area in addition to other parking requirements. Loading areas shall meet the following standards:

1. Access to the service areas, bay doors and/or loading ramps shall be accommodated by on-site maneuvering areas.
2. Loading spaces shall not:
   a. Be permitted in any required landscape area, screen or buffer.
   b. Interfere with access to parking spaces or parking lot maneuvering areas.
   c. Require ingress or egress from a street by backward motion of a vehicle.
   d. Utilize on-street parking areas for loading or unloading purposes except where specifically approved by the Zoning Administrator and where properly marked.
3. Screening: On-site loading areas shall be screened in accordance with Section 6.3.9.
4. Size: Loading areas shall be adequate to accommodate the largest anticipated delivery vehicle without blocking any street, driveway, drive aisle, maneuvering or parking area, fire lane or other area where maintaining access is required.
5. The Zoning Administrator may approve variations to these requirements if warranted by the building use.

### *Section 6.7.8 Residential parking for Community member homes*

A. The number of parking spaces required is provided in Table 6.7.3.

B. Parking spaces within a garage count towards the required number of parking spaces.

C. Parking spaces, including those inside a garage, shall be connected to a street right-of-way or easement by a driveway at least twenty (20) feet in length on the site, exclusive of any sidewalk or pedestrian easement.

D. Building setbacks do not apply to uncovered parking spaces.

E. Street access from multifamily sites, excluding townhomes accessing a local street, shall be by forward motion of the vehicle.

## *Article 6.8 Outdoor Lighting*

### *Section 6.8.1 Purpose*

The purpose of this Article is to:

A. Preserve the Community's dark night sky environment through minimization of intrusive light sources, sky-glow, light pollution and glare.

B. Provide attractive high quality nighttime lighting adequate for the safety, security and well-being of persons engaged in outdoor nighttime activities.

C. Promote energy conservation through application of efficient technology and elimination of unnecessary outdoor lighting.

### *Section 6.8.2 Applicability*

This Article applies to all new installation, replacement, additions, alterations, maintenance and operation of all outdoor lighting within the Community and in all zoning districts on public and private land and for public or private use.

### *Section 6.8.3 General Regulations*

A. All outdoor illuminating devices shall be installed in conformance with the provisions of this Ordinance and SRP-MIC legal requirements.

B. All exterior lighting installations require approval prior to installation, except as specifically exempted in Section 6.8.4. All fixtures installed shall be those specified on approved plans. Any substitutions require approval prior to installation.

C. The Zoning Administrator may require evidence that illumination from proposed outdoor lighting will comply with this Article and may require adjustments, modifications, shielding or replacement of fixtures as necessary to achieve compliance with this ordinance.

D. **The illumination level and standards** for any areas or uses not addressed in this ordinance shall be established by the Zoning Administrator taking into consideration:

1. The purposes of this Article as applied to the character of the Lighting Zone where the illumination is applied.
2. How essential the lighting application is to the function of specific tasks or activities and/or the need for accurate color rendition.
3. The applicable recommended illumination levels and uniformity ratios established by SRP-MIC legal requirements, advances in lighting technology, and best practices related to preservation of dark night sky.
4. Any detrimental effects the lighting application may have on the desired characteristics of the Lighting Zone and the adjacent areas.
5. Measures required as conditions of approval to ensure compatibility with the Lighting Zone characteristics.

E. **All outdoor lighting** shall be fully shielded fixtures, mounted as required to maintain full cut-off features, except where specifically permitted and for fixtures emitting less than seven hundred and fifty (750) lumens (up to one (1) fifty (50) watt incandescent bulb or equivalent per fixture).

F. **The correlated color temperature (CCT)** of any outdoor lighting fixture shall not exceed 3000K (K = Kelvin).

G. **All proposed outdoor lighting improvements** shall be certified by a registered lighting or electrical engineer as conforming to all applicable restrictions of this ordinance. The Zoning Administrator may accept manufacturer cut sheets showing illumination characteristics of proposed fixtures in lieu of a registered engineer confirmation where three (3) or fewer fixtures are proposed. Lighting for single family residential uses is exempt from the requirements of this subsection.

H. **All site illumination**, except lower level lighting that is necessary for security purposes, shall be extinguished within one (1) hour after a business closes.

### *Section 6.8.4 Exemptions*

The following lighting is exempt from this Article:

A. **Temporary lighting as described below.**

1. Allowed seasonal decorations that use low-radiance lamps not exceeding one hundred and fifty (150) lumens per lamp including string lighting or rope lighting not exceeding one hundred and twenty (120) Lumens per linear foot.
2. Lighting for theatrical, television, performance, civic or special events that are of limited duration.
3. Temporary lighting required during construction.
4. Lighting being used short term under emergency conditions.

B. **Neon lighting or LED tube lighting that is:**

1. Part of a permitted “Open” or “Closed” internal window sign of less than five (5) square feet.

C. **Lighting used in approved illuminated signs.** These signs are exempt from light trespass limits onto streets but are not exempt from light trespass limits onto adjacent sites or properties.

D. **Natural gas lighting.**

## *Section 6.8.5 Lighting zones*

Lighting Zones described in this Section apply to the zoning districts and specific uses as listed in Table 6.8.5 and described below.

**Table 6.8.5 Lighting Zones**

| Zoning District | Applicable Lighting Zone |
|---|---|
| OS | LZ-0 Intrinsically Dark |
| AR (Residential areas) | LZ-1 Agricultural/Residential |
| AR (Non-residential areas), AP, C1, C2 | LZ-2 Rural Nonresidential |
| C3, MB, LI, NR, Pima Corridor Overlay District (PC) | LZ-3 Urban |

A. **LZ-0 Intrinsically Dark Lighting Zone.**

This lighting zone corresponds to areas within the Open Space (OS) zoning district. The preservation of a naturally dark environment, both in the sky and in the visible landscape, is of paramount concern in this lighting zone. Lighting is limited to the area, lighting level and time necessary for a specific activity or for achieving a safety or security objective. Preventing light trespass into and minimizing the view of light sources within and outside this area is very important.

B. **LZ-1 Agricultural/Residential Lighting Zone.**

This lighting zone has low ambient lighting and corresponds to areas east of the 101 freeway within the Agricultural/Residential (AR) zoning district. In this zone, lighting of specific activity areas on a site rather than general lighting of the entire site is anticipated. Limited nighttime activity is expected. Lighting levels are adequate for conducting typical outdoor activities safely and comfortably in a rural residential and/or agricultural setting and extinguished as activity is completed. Limiting the visibility of light sources and light trespass from adjacent sites is of high importance and controlled by a combination of fixture types, low illumination levels and low mounting heights of wall and pole fixtures.

C. **LZ-2 Rural Nonresidential Lighting Zone.**

This lighting zone has low to moderate ambient lighting and corresponds to areas within the Administrative Public Services (AP), Village Commercial (C1), Community Commercial (C2) zoning districts and non-residential areas within the Agricultural/Residential (AR) zoning districts. It applies to convenience and small neighborhood commercial uses, government, institutional and service uses located east of the 101 freeway. Sensitivity to the preservation of dark sky, light trespass and the visibility of lighting as viewed from adjacent agricultural/residential areas is very important. The type of lighting fixture, mounting heights, locations and shielding, reduction of

brightness and glare, necessity for and time of illumination are given extra consideration in this lighting zone to ensure compatibility with the surrounding area.

D. **LZ-3 Urban Lighting Zone.**

This area has moderately high ambient lighting and includes all the General Commercial (C3), Mixed Business (MB), Light Industrial (LI), Natural Resources (NR) zoning districts and the Pima Corridor Overlay District (PC). This lighting zone includes retail, office, hotel, restaurant, convenience and other commercial uses in which nighttime activity is expected. Although this zone is urban in character, reduction of sky glow, glare and visibility of lighting fixtures as viewed from residential areas within the Community are important considerations. Providing a transition to adjacent residential uses in the LZ-1 lighting zone is particularly important.

E. **Specific uses.**

Uses with specific lighting requirements that differ from the lighting zone, such as auto malls and service stations, are permitted higher ambient lighting levels when required to accommodate high levels of nighttime pedestrian activity and when lighting levels are required for particular activities. The specific lighting levels are addressed by type of use in Section 6.8.7 or as established by the Zoning Administrator.

F. **Lighting Zone Designation.**

1. Lighting zones automatically apply within the various Zoning Districts as shown on the zoning map and as the zoning map is amended.
2. PD Overlay Zoning Districts. Within overlay districts, lighting zones shall be based upon the underlying zoning district unless modified by PD Ordinance. Where necessary the Zoning Administrator shall designate the appropriate lighting zone for particular areas or uses based on the necessity for nighttime illumination, the surrounding lighting zone and the location.
3. Use Variances. In cases where a use variance is approved the use shall remain in the same lighting zone as the zoning district unless modified by the Variance. Where additional nighttime illumination above that permitted in the lighting zone is necessary the Zoning Administrator shall determine the appropriate illumination levels and conditions for the specific use based on the necessity for nighttime illumination, the surrounding lighting zone and the location.

## *Section 6.8.6 Outdoor Illumination Levels*

A. **Average and maximum site illumination levels.** The average site illumination and maximum illumination (at any point) permitted within each Lighting Zone are as listed in Table 6.8.6 A.

**Table 6.8.6 A Maximum Illumination Levels**

| **Lighting Zones** | **Average Site Illumination*** (horizontal foot-candles) | **Maximum Site Illumination*** (horizontal foot- candles measured at grade) |
|---|---|---|
| LZ-0 Intrinsically Dark | 1.00 (security lighting) | 4.00 (security lighting) |
| LZ-1 Agricultural/Residential | 1.50 | 5.00 |
| LZ-2 Rural Nonresidential | 2.00 | 6.00 |
| LZ-3 Urban | 2.00 | 8.00 |
| LZ-3 Entertainment/Active Pedestrian Areas | 2.50 | 10.00 & 8.00 in parking lots |

1. Average site illumination is calculated by adding the illumination levels occurring at the intersecting points of a ten-foot by ten- foot grid over the area being measured and dividing the total by the number of readings contributing to the total where:
   a. The illumination level at each location is the sum of all outdoor fixtures contributing to illumination of the ground plane.

b. The following are excluded from the sum of illumination for calculation of average site illumination per Table 6.8.6 A:

1). Within the LZ-0 and LZ-1 lighting zones, all points having illumination of less than twenty-five hundredths (0.25) foot-candles. Only points illuminated to twenty-five hundredths (0.25) foot-candles are included in calculation of the average.

2). Illumination under buildings or opaque roofs, such as building entry covers, overhangs, canopies, marquees, walkway covers, and carports.

3). Exempt lighting sources in Section 6.8.4.

4). Illumination for athletic fields, ball courts, active recreation areas, and defined display areas.

| Approximate Illumination for general comparison only | |
|---|---|
| Type of Bulb | Lumens per watt |
| Incandescent | 15 |
| Halogen | 22 |
| LED | 60 |
| Mercury Vapor | 60 |
| Compact Florescent | 70 |
| Low Pressure Sodium | 90 |
| Fluorescent tube | 110 |
| Metal Halide | 115 |
| High Pressure Sodium | 150 |

5). Illumination at points outside the boundaries of the site.

6). Illumination from signs and vending machines.

7). Exclusions shall be the smallest area that defines the space used, e.g. the foot-candles directly below and within the drip-line of an opaque cover or within a playing field, outdoor display areas identified on a site plan or the minimum area actually used.

c. Single-family residential uses shall conform to Section 6.8.6.A.2.a below.

2. Maximum site illumination is the highest illumination permitted in foot-candles at any location on a site taking into consideration the cumulative effect of all illumination from all sources on the site.

a. Single-family residential uses shall conform to the following:

1). Fixtures not fully shielded shall not exceed seven hundred and fifty (750) lumens (or 50 watts incandescent) and be mounted no higher than eight (8) feet above finish grade or be under an opaque roof or cover.

2). The total lumens from all unshielded lamps shall be less than 3,000 lumens per home-site.

3). The combination of unshielded and full cut-off fixtures shall not exceed 12,500 lumens per home site, excluding lighting under fully-opaque covered areas such as building entrance covers, patio covers, shade structures, and carports.

3. Measurement of illumination levels. Cumulative illumination from all lighting sources is used to determine the highest, average and light-trespass illumination levels.

a. Surface illumination levels are measured horizontally at finished grade in foot-candles.

b. Proposed lighting. The illumination level of proposed lighting is based on the light distribution charts and characteristics of the proposed light fixture provided by the fixture manufacture as applied to the proposed installed location and include cumulative light levels from all existing and proposed fixtures.

1). The lighting system performance shall be certified by a registered design professional and demonstrated by a computer program printout of the maintained illumination levels produced by the lighting fixtures.

2). Light loss factor.

a). Fixtures shall be assumed to be operating at no less than seventy (70) percent of the maximum rating in the calculation of all horizontal illumination projections.

b). Fixture types for which no light loss factor applies shall be calculated at one hundred (100) percent of the maximum rating in all projected calculations.

3). Fixtures shall be assumed to be operating at one hundred (100) percent of the maximum (no light loss factor) when calculating projected vertical light trespass levels.

c. Installed lighting. The illumination levels and light trespass levels of all installed lighting is based upon on-site measurements made by the Zoning Administrator using a light meter.

1). No light loss factor shall be applied to on-site measurements of illumination levels.

2). Illumination from signs and vending machines shall be included in the measurement of light trespass levels.

4. Total Outdoor Light Output per Net Acre. 3333 Total light output per net acre, excluding interior lighting, seasonal lighting and emergency lighting, shall not exceed the limits set forth in Table 6.8.6.A.

The total light output per net acre is not a lighting goal. Use the light fixture that meets the requirements of the task at the appropriate lowest limit.

a. Net acre calculations shall include the proposed development area excluding building footprints and private streets.

b. Total outdoor light output is determined as follows:

1). Lumen output, as defined by the lamp manufacturer, shall be the initial lumen output value.

2). The following light fixtures shall be calculated by using one-hundred (100) percent of the initial lumen outputs:

a). All unshielded or partially shielded fixtures, regardless of location.

b). Light fixtures installed on poles (such as parking lot light fixtures).

c). Light fixtures installed on the side of buildings or other structures.

d). Light fixtures installed within open parking garages, or under canopies, building overhangs, or roof eaves that are not fully shielded or are fully shielded but not located as described in b.3) below.

3). Fully shielded light fixtures located within open parking garages, or located under canopies, building overhangs, or roof eaves, where all parts of the light fixture are located at least five (5) feet from the nearest outdoor opening, canopy, or overhang edge shall be calculated by using fifteen (15) percent of the initial lumen outputs.

4). Lighting used for the external illumination of signs shall be calculated by using one-hundred (100) percent of the initial lumen outputs toward Total Outdoor Light Output.

5). Neon building lighting shall count toward Total Outdoor Light Output calculations. Lumens for neon lighting are calculated at one-hundred (100) percent of the initial lumen outputs on a per foot basis, rather than per fixture.

6). Any architectural element, including walls or portions of buildings that are internally illuminated, and that is not a sign, door or room window shall be calculated at one-hundred (100) percent of the initial lumen outputs of the initial lamp output.

c. Divide the Total Outdoor Lighting Output into the calculated Net Acres to determine the Total Outdoor Lighting Output per Net Acre.

B. **Light Trespass limits.**

1. Light trespass into adjacent sites within the various lighting zones shall not exceed the levels in Table 6.8.6.B.

2. Light trespass limits apply between:

a. Sites in different or the same lighting zone.

b. Individual development sites within the same development.

c. Development sites and abutting public or private streets.

**Table 6.8.6. B. Light Trespass Limits**

| **Lighting Zone**<br>(Area that the light is trespassing into) | **Maximum Vertical Fc**<br>(At full illumination measured 6' above grade at site boundary ) |
|---|---|
| LZ-0 Preserve Intrinsically Dark Areas | 0.01 |
| LZ-1 AR Agricultural Residential | 0.05 |
| LZ-2 Rural Non-Residential | 0.25 |
| LZ-3 Urban | 0.5 |

**Light trespass limits** refer to light spilling into sites located in the various lighting zones. They are not based on the lighting zone where the source of lighting is located. For example, light sources in any lighting zone cannot emit light that enters an adjacent site in the LZ-1 lighting zone in excess of 0.05 vertical foot-candles.

3. Measurement of light trespass levels.

a. Trespass levels are projected and field-measured vertically at a height of five (5) feet above grade at ten (10) foot intervals along the boundary of the development site being measured. When the source(s) of lighting is/are located a distance of more than four (4) times the mounting height from the boundary line measurements or projections may be made at thirty (30) foot intervals.

b. Light trespass limits are a point-by-point reading and are not an average.

c. Light trespass includes all lighting sources cumulatively. No illumination source is excluded from trespass illumination limits. Lighting from parking lots, signs, vending machines, security lighting, pedestrian fixtures, building and canopy-mounted fixtures, sports courts and all other sources are included in the measurement.

d. No light loss factor applies when projecting or measuring light trespass levels.

## *Section 6.8.7 Illumination standards for specific applications*

Illumination for specific applications shall conform to the maximum illumination levels in Table 6.8.7 and the light trespass limits in Table 6.8.6.B. Uses analogous to the uses listed may be permitted similar lighting standards.

**Table 6.8.7 Illumination Standards for Specific Applications**

| **Specific application standards** | | **Maximum Horizontal Foot candles** | | | **Maximum Average Foot-candles** |
|---|---|---|---|---|---|
| **Application** | **Task Area** | **LZ-3** | **LZ-2** | **LZ-1** | **LZ-0** |
| Auto sales lots | Sales lots | 10 | n/a | n/a | n/a |
| | Feature display area | 30 | n/a | n/a | n/a |
| Automatic teller machine and night depositories | Within 10 foot radius (Under required canopy) | 10 | 8 | 5 | n/a |
| Building entrance and entry transition areas | Under opaque cover | 8 | 8 | 5 | n/a |
| | Not under cover | 6 | 6 | 3 | |
| Drive-up window | Under required canopy | 8 | 8 | 6 | n/a |
| General security lighting | Vital entrances, building perimeter, outdoor storage, outdoor inventory | 3<br>1 | 3<br>1 | 3<br>1 | n/a |
| Landscape areas | General area (Not including small highlighted areas within larger landscapes.) | 2.5 | 2 | 1.5 | n/a |
| Loading platforms | Covered or uncovered area | 20 | 15 | 10 | n/a |
| Outdoor sales areas | Covered or uncovered area | 8 | 5 | 5 | n/a |
| Outdoor dining | Open (not covered) | 6 | 6 | 6 | 5 |
| Parking lots | Parking and circulation | 6 | 6 | 6 | 2.25 |
| | carport /covered parking | 8 | 8 | 6 | n/a |
| | pedestrian crosswalks | 8 | 8 | 6 | |
| Plaza/courtyard areas | Between buildings | 6 | 5 | 3 | 2 |
| | Open areas | 5 | 5 | 3 | 2 |
| Public parks | General area | 3.5 | 3.5 | 3.5 | n/a |
| | Playing fields | 30 | 30 | 30 | |
| | Playgrounds | 8 | 8 | 8 | 5 |
| Service stations | Pump area under canopy | 8 | 8 | 6.5 | n/a |
| | Service and pedestrian areas (not under cover) | 5 | 5 | 3 | 3 |
| Walkways and highly used pedestrian areas | Non-residential uses | 5 | 5 | 5 | 3 |
| | Within residential areas (where/when lighting is required) | 5 | 3 | 3 | 2 |
| Only security lighting is permitted one hour after a use or business closes.<br>In all cases use of LED lighting is preferred. | | | | | |

A. **Up-lighting.** Except for specific applications in this Article, up-lighting is not permitted in any lighting zone.

B. **Architectural lighting.** Architectural Lighting shall:

1. Be used only to highlight entry features or to provide lighting of adjacent ground level pedestrian areas. Lighting building walls or major portions of the building is not permitted.

2. Be limited. Up-lighting may be approved if placed under an opaque canopy or overhang to provide reflected light or be designed so the light terminates on the building structure.
3. Be concealed or shielded so the lens or source of lighting is not visible except from the illuminated area.
4. Not exceed three (3) foot-candles at any point on the building surface. Individual fixtures shall not exceed eight hundred and fifty (850) Lumens in Lighting Zones LZ-1 and LZ-2, twelve hundred (1,200) Lumens in Lighting Zone LZ-3 or fifteen hundred (1,500) Lumens in uses with high pedestrian levels such as entertainment uses.
5. Not be used in LZ-0.
6. Be identified by type of fixture on the site plan and building elevations and be accompanied by the manufacture's specifications, including maximum lumens emitted and lighting pattern for each type of fixture.

C. **Building mounted lighting.** Lighting mounted on a building shall conform to the following:

1. Be for the purpose of lighting the adjacent walkway, loading area or work area rather than illuminating the building wall surface or awnings.
2. Building-mounted light fixtures shall be full cut-off, shielded or mounted under opaque canopies, walkway covers or overhangs and recessed so the lens or source of lighting is not visible from offsite.

D. **Business frontage, outdoor sales areas and entry transition areas.** Business frontage, outdoor sales areas and entry transition areas may be illuminated to the levels in Table 6.8.7 and as follows:

1. Building or pole-mounted pedestrian lighting fixtures shall be mounted no higher than fifteen (15) feet and shall not be under a canopy or roof structure.
2. All light fixtures emitting more than seven hundred and fifty (750) Lumens shall be full cut-off and mounted as required to maintain full cut-off features.
3. Lighting under attached canopies, walkway covers or overhangs shall be fully shielded from view at the site boundary.
4. Up lighting shall only be permitted under a completely opaque roof, canopy or building overhang. Where the canopy or roof is not opaque the fixtures shall be fully shielded. Backlighting of translucent canopies or roofs is not permitted.
5. Lighting under opaque covers is not included in the average site foot-candles per acre limits of Table 6.8.6. A, but shall not exceed the maximum limits in Table 6.8.7.

E. **Parking Lot lighting.**

1. Parking lot lighting fixtures shall not exceed thirty (30) feet in height.

F. **Landscape lighting.**

1. Low voltage lighting of landscape features and plant materials is permitted in all Lighting Zones except LZ-0 in conformance with Table 6.8.7.
2. Within Lighting Zones LZ-1 and LZ-2, all landscape lighting, except low voltage lighting, shall be mounted no higher than four (4) feet above grade and downward facing (aimed at an angle of fifteen (15) degrees or more below horizontal).
3. Landscape abutting pedestrian spaces, walkways, building entrances, focal points and special features may be illuminated by spillover lighting at the same levels as the abutting areas. The lighting level of all other landscaping areas shall comply with illumination levels in Table 6.8.7.
4. Individual lighting fixtures shall not exceed seven hundred and fifty (750) lumens and shall be concealed or shielded to ensure that the source of lighting is not visible off-site.

5. Landscape lighting fixtures shall be identified on the landscape plan and the site photometric plan. Manufacturer's details of lumens emitted and distribution pattern of the fixture shall be provided with lighting plans except for low voltage systems.

G. **Outdoor sale areas.**

1. Lighting for outdoor sales areas, as defined on approved site plans, are not included in the average foot-candles per acre limits of Table 6.8.6. A, but shall not exceed the maximum limits in Table 6.8.7.
2. All sales area lighting shall be turned off when the business is closed, except for security lighting.

H. **Public Art, monuments, special focal points, flags.** Special lighting may be used for public works of art, monuments, flags, or other areas of special visual interest, as follows:

1. Lighting may provide a maximum of three (3) foot-candles over a statue, mural, monument or focal point feature through use of down lighting, narrow focus or similar fixtures.
2. Illumination shall be fully shielded and light sources shall be concealed so they are not visible to surrounding area.
3. All flag illumination shall be by down lighting.

I. **Security lighting.**

1. Security lighting is subject to maximum light trespass requirements.
2. Where electronic surveillance devices such as security cameras are installed, the security lighting in critical locations shall be permitted to provide sufficient illumination so that the cameras can operate within the recommended tolerances.
3. The average security lighting level shall be 25% or less of the average lighting permitted on the site during nighttime business hours.
4. Infrared security lighting. Lights emitting infrared radiation for remote security surveillance systems are permitted in all locations with the following restrictions:
   a. Fixed infrared lights shall be fully shielded.
   b. Movable lights, such as infrared spot lights attached to an infrared-sensitive camera, must be mounted such that the lights cannot be directed higher than twenty (20) degrees below the horizontal, measured from the center of the light beam.
5. Motion activated fixtures. Motion activated fixtures shall have 'on' cycles not exceeding fifteen (15) minutes. The fixtures are permitted in all Lighting Zones in conformance with the following.
   a. Fixtures shall conform to light trespass regulations and be located and adjusted to avoid frequent activation by anticipated traffic.
   b. Fixtures with greater than seventeen hundred (1,700) lumens and visible from offsite shall be full cut-off for all nonresidential uses.

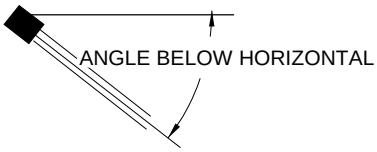
J. **Service stations.** Lighting for service stations shall conform to the following:

1. All fixtures, including fixtures mounted under walkway covers and canopies shall be full cut-off.
2. Only lighting that is completely recessed into the canopy ceiling with flat lenses no lower than the ceiling surface or that are shielded or screened so the lens is not visible from off the site are permitted on a canopy structure.
3. No lighting shall be mounted above or on the canopy fascia except that for permitted signs.

K. **Sports fields, courts, arenas, tracks.**

1. Lighting on athletic fields, courts or tracks are exempt from the maximum and average illumination limits in Tables 6.8.6. A and 6.8.7.

2. Lighting for each facility or area shall be operated and controlled separately and only illuminated when in the facility or area is in use.
3. Sports field or court lighting is not exempt from light trespass regulations.
4. All lighting shall:
    a. Utilize fully shielded luminaires installed in a fashion that maintains the full cutoff characteristics or directionally shielded luminaires.
    b. Utilize internal and/or external glare control louvers installed to limit glare. Lighting shall be oriented and shielded in a manner to minimize the light lens from being visible from off the site.
    c. Be installed and maintained with aiming angles of not less than seventy-five (75) degrees below horizontal for large sports fields. The aiming angle is measured from the axis of the luminaire maximum beam candlepower as certified by the manufacture or independent testing agency.




    d. The applicant shall provide sufficient supporting technical information to indicate state-of-the-art glare control and may be required by the Community Development Department to provide analysis of options to minimize off site impacts.
    e. Be mounted no higher than seventy (70) feet for sports fields and twenty-five (25) feet for sports courts.
    f. Where sites are adjacent to existing or proposed home sites in Lighting Zone LZ-1, pole mounted lights shall be located a distance of not less than four (4) times the mounting height from the home sites.
5. Lighting design shall consider options to the number and location of poles to achieve the lowest practicable fixture height and to minimize the visibility of the facility lighting as viewed from off-site.
    a. All non-cut-off security fixtures shall be aimed to forty-five (45) degrees or more below horizontal.

L. **Walkways and Pedestrian areas.**

1. Commercial Areas. Illumination of primary sidewalks on site is required by direct or ambient lighting. Lighting of secondary sidewalks may be required based on the anticipated nighttime use.
2. Low lumen fixtures emitting eight hundred and fifty (850) lumens or less and which are designed with a translucent cover, glass diffusers or refractors so that the source of light is not readily discernible may be permitted in pedestrian oriented areas such as entryways or along walkways.
3. In the AR zoning district. Direct illumination of primary or secondary sidewalks or connecting pathways is only required where significant nighttime use is anticipated. Illumination provided during specific activities shall be extinguished when the activity and need for illumination is completed.

M. **Signs.** Illumination of signs is not required to be included in photometric calculations. See Section 6.9.6 for illuminated sign requirements.

N. **Underwater light fixtures.** Underwater light fixtures in swimming pools and other water features shall be aimed so that the center of the beam is horizontal or below horizontal.

## *Section 6.8.8 Illumination levels of streets*

Standards for lighting of public and private streets are found in the SRP-MIC Design Standards and Policies.

# Article 6.9 Signs

## Section 6.9.1 Purpose

The purpose of this Article is:

A. To protect the general health, safety, and welfare of the Community members and visitors from damage and injury by:

1. Ensuring that signs are designed, constructed, installed, operated, and maintained in a safe manner.
2. Preventing excessive distractions and visual obstructions caused by improperly situated or operated signs.
3. Facilitating safer traffic flow through use of clear and effective signs.
4. Avoiding potential adverse impacts from signs on nearby properties, motorists and others.

B. To create an attractive business environment within the Community by:

1. Allowing signs appropriate to the type and size of land use, the character of architecture and that are appropriately proportioned to the building facade.
2. Ensuring signs are well maintained.
3. Allowing adequate and effective signs.

C. To protect the Community's physical and natural and scenic beauty and general aesthetics by:

1. Preventing signs from dominating the appearance of the area and creating visual clutter.
2. Providing reasonable limits on the number, location, size, height, spacing and type of signs.
3. Limiting adverse impacts on the appearance and enjoyment of the surrounding area caused by lighting, distraction, location, height, operation and design of signs.

*This Article is not intended to guarantee that every property owner or business owner will be able to achieve their desired level of visibility or overcome limitations of a site due to location, building architecture, orientation, street frontage, landscaping and other constraints.*

## Section 6.9.2 Applicability

A. These regulations apply to all signs and graphic communication displayed, erected, placed, constructed, painted, installed or maintained within the SRP-MIC.

B. All signs displayed after the effective date of this Zoning Ordinance shall conform to this ordinance or to an applicable, approved Comprehensive Sign Plan.

C. Article 6.9 does not apply to the following, except that building codes may still apply:

1. Signs not visible from a street or adjacent site.
2. Outdoor advertising signs (billboards) regulated under a separate ordinance.
3. Non-commercial murals, sculptures and other works of art.

D. **Freedom of speech.**

1. Signs permitted in this chapter may contain legal noncommercial copy in lieu of any other copy. This ordinance in no way restricts the display of legal noncommercial messages on any legal sign.
2. Signs containing a lawful noncommercial message shall comply with the applicable provisions of this ordinance and are part of the maximum sign area allowed on any site.
3. Neither the content nor the viewpoint expressed by the sign, if legal, shall be considered when taking action to approve or deny applications related to signs.

## *Section 6.9.3 General sign regulations*

A. **Sign Permit Required.** An approved sign permit is required prior to displaying, placing, erecting, relocating, installing or modifying a sign within the Community, except for signs specifically exempted in this Article.

B. All signs displayed, erected, placed, constructed, painted, installed, modified or maintained contrary to this Article or the related approved sign permit are a violation of this ordinance and are subject to the enforcement provisions.

1. "Modified," as used in this Article, means any change to an existing sign's support structure, size shape, height, location, illumination or architectural detailing.
2. Maintenance of a sign in its original condition or reuse of an existing sign by changing the sign copy is not a modification.

C. **Responsible persons and liability for damages.**

1. The person, firm(s) and corporation(s) responsible for the design, installation or display of a sign and the sign owner(s) shall be jointly and severally responsible to ensure that the sign complies with this Article, does not constitute a safety or traffic hazard and is mounted in a structurally sound manner including provisions for windy conditions.
2. The sign owner is responsible for maintenance and removal of signs. If the owner of a sign cannot be determined or contacted, the property owner is responsible for removal of the signs as required by the Zoning Ordinance.
3. This Article shall not be construed as relieving or limiting in any way the responsibility or liability of a person, firm, or corporation that erects or owns a sign from personal injury or property damage resulting from placing a sign or resulting from negligence or willful acts of that person, firm or corporation, its agents, employees or workers in the construction, maintenance, repair or removal of a sign erected in accordance with this Article or with a permit issued by the Community.
4. The approval of signs, materials or devices under this Article does not impose upon the Community or its officers or employees any responsibility or liability by reason of the approval.

D. **Nonconforming signs.**

1. All existing legal signs that do not conform to this ordinance shall be considered a legal nonconforming sign and may continue to be used as a nonconforming improvement subject to Section 1.1.6. A "legal nonconforming sign" means a legal sign that conformed to all applicable regulations when it was installed and has become nonconforming upon adoption of subsequent regulations.
2. Reasonable repairs and alterations, including changes to the face, color and sign copy, or use by a new business are permitted on legal nonconforming signs except that changes to signs consisting of individual letters shall conform to this ordinance.
3. If a legal nonconforming sign is removed or sustains damage by any means including an act of nature and the damage exceeds fifty (50) percent of its current replacement value, the sign may only be restored, reconstructed, altered, or repaired so that it fully conforms with this ordinance, or may be replaced by a sign that fully conforms.

E. **Immediate removal or repair.** The CDD Director may order or cause the immediate removal or repair of any sign found to be unsafe or defective to the extent that it creates an immediate hazard to persons or property or of any sign within a street right-of-way or on public land displayed in violation of this Ordinance and/or without the Community's consent.

1. The sign owner of an unsafe or defective sign will be notified of the necessity to remove or repair the sign. Signs not promptly removed or repaired after notification are subject to removal or/and impoundment by the Community.
2. Signs within a street right-of-way may be removed without notification to the owner.

3. Signs removed and/or impounded by the Community may be disposed of without notice.
   a. No compensation shall be paid for signs disposed of that were impounded.
   b. Any outstanding fines or related costs incurred by the Community shall be paid prior to releasing an impounded sign.
4. The Community may require compensation for the cost for any actions related to removal or repair of signs.

F. **Sign Maintenance.** All signs shall be maintained in a like-new condition and in conformance to the conditions of the sign permit and this Article.

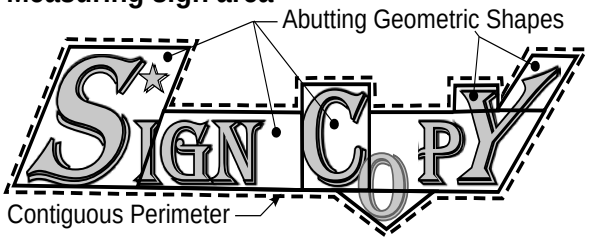
1. Maintenance is the responsibility of the sign owner and person in control of the property on which a permanent sign is located. Maintenance of temporary signs is the responsibility of the sign owner.
2. Sign structures and sign cabinets shall be kept clean, painted areas shall be free of flaking or fading, and all sign elements shall be free of rust and rust stains.
3. Signs that are damaged, deteriorated or vandalized shall be repaired to like-new condition within thirty (30) days of such damage if the sign is permanent or shall be repaired, replaced, or removed within forty-eight (48) hours of the damage if the sign is temporary.
4. Signs that are damaged to such an extent that they may pose a hazard to passersby, as observed by the owner or as determined by the CDD Director, shall be repaired to like-new and safe condition or removed immediately.
5. Illuminated signs, including digital signs, that are damaged, malfunctioning, displaying partial or incomplete messages, flickering, blinking or that do not comply with the provisions of this ordinance shall not be illuminated until the sign is repaired or necessary adjustments are completed.
6. Failure to comply with these sign maintenance requirements is a violation of this Zoning Ordinance.

## *Section 6.9.4 Measuring sign area*

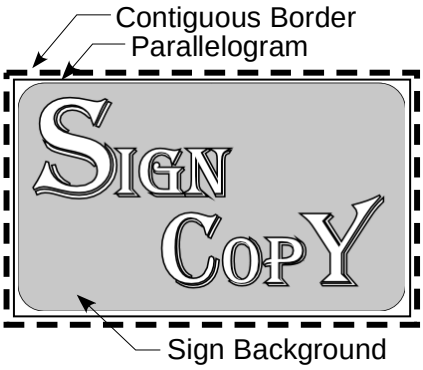
A. **Single-face sign area.**

1. The area of a sign is the sum of the areas of abutting geometric shapes consisting of parallelograms, trapezoids and/or triangles that when combined create the smallest contiguous perimeter that will enclose the sign copy. Sign copy includes letters, figures, characters, logos, graphics and patterns.
2. Words or graphics that together compose one context are measured together as one sign.
3. Spaces between letters, words or components of a sign shall be included in one contiguous perimeter.
4. When the sign copy is mounted or painted on a panel or surface distinctively painted, textured, illuminated or constructed as a background, the area of the background is included in the sign area.
5. Architectural features, the sign base or structure, or lighting that depicts corporate colors or patterns related to the building occupant are considered sign copy and are included as part of the total sign area.

**Measuring sign area**




Sign area = Area within contiguous perimeter

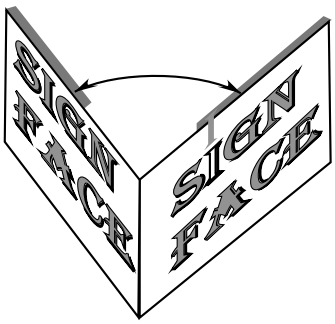


B. **Signs with multiple sign faces.**

1. Double-Sided Signs. The area of sign with two sign faces placed back to back on the same structure is measured as follows:

   a. If the interior angle between the sign faces is less than forty-five (45) degrees, then the sign area is the area of one of the two faces. If the sign faces are a different size, the area of the larger sign face is the area of the sign.

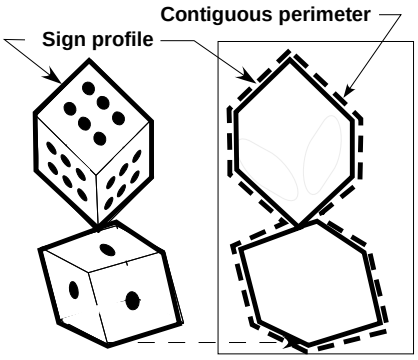
   b. If the interior angle between the sign faces is forty-five (45) degrees or greater, then the area of both sign faces are included in the area of the sign.




2. Signs with more than two sides. When a sign has more than two connected sign faces, which face different directions, the sign is measured as a freeform sign.

C. **Freeform Signs.** Spherical, sculptural, statuary and non-planar three-dimensional signs are measured as follows:

1. The profile of the sign as viewed from the side that displays the largest area is projected onto a vertical planar surface that is parallel to the sign, then the area of the projected profile of the sign is measured in the same manner as a single face sign.




**3-Dimensional Sign viewed from the side displaying the largest profile.**

**The sign profile is projected on to a flat planar surface and measured like a single-sided sign.**

## *Section 6.9.5 Measuring freestanding sign height*

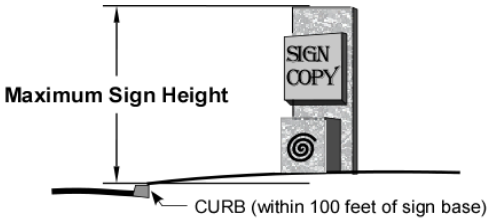
A. The height of a freestanding sign is measured vertically between the highest point of the sign structure and the natural grade. The natural grade is:

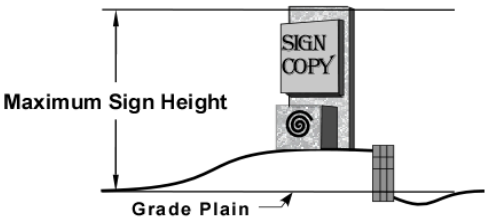
1. The top of the nearest point of a street curb, or edge of street pavement if there is no curb, within one hundred (100) feet of the base of the sign (freeways or elevated roadways are not used to measure sign height); or

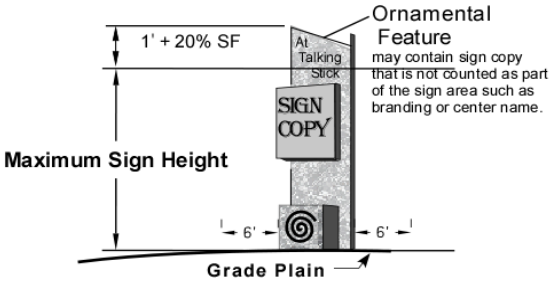
2. The average of the lowest and highest elevation of the ground surface if the sign is more than one hundred (100) feet from an arterial, collector, local street curb or edge of street pavement.

   a. Where there are man-made elevated areas such as an earth mound or raised planter, the natural grade shall be measured from outside the perimeter of the raised area and the raised area shall be included in the sign height.

   b. Where there are man-made depressions such as detention basins, the natural grade shall be measured from the perimeter of the depressed area and the depth is not included in the measurement of sign height.



## *Section 6.9.6 Illuminated signs*

Signs shall only be illuminated as provided in this Section, except that signs within lighting zone LZ-0 and signs on sites whose primary use is residential or agricultural in lighting zone LZ-1 may only be illuminated by ambient light.

A. **Approval.** Approval of sign illumination is part of the sign permit process. Adding illumination to an existing non-illuminated sign requires a new sign permit.

B. **Illumination.**

1. Illuminated signs are not permitted in lighting zone LZ-0.
2. Signs in lighting zones LZ-1 or LZ-2 shall be turned off when the business closes or at ten (10) p.m., whichever comes first.
3. Wall signs in lighting zone LZ-3 shall only be illuminated during hours of operation of the related business.
4. Except where specifically allowed, blinking, intermittent or flashing lights, laser lighting, changing levels of illumination, and lighting with exposed sources are not permitted.
5. Conductors, transformers and other electrical equipment shall be concealed from view.
6. Externally-illuminated signs shall:
   a. Be illuminated from above the sign face.
   b. Use shielded or hooded fixtures narrowly directed at the sign and mounted so that the source of illumination is not visible.
   c. Not exceed fifty (50) foot-candles in lighting zone LZ-3 and LZ -2 and fifteen (15) foot-candles in LZ-1 lighting zones as measured parallel to and within one (1) foot of the sign face.
7. Internally illuminated signs shall comply with the following:
   a. Opaque backgrounds are required. Only the sign's message content, such as individual letters or logos, shall be translucent. The background of all sign faces, including white and/or colored backgrounds, shall be completely opaque. A translucent band outlining the perimeter of the entire sign face, not exceeding two (2) inches in width, is permitted.
   b. Signs with changeable letters may only have a translucent background in the raceway behind the changeable letters. All background areas shall be opaque.
   c. Design and installation of illuminated signs shall avoid glare, reflection and are subject to the light trespass limitations in Section 6.8.7.L except that freestanding signs shall not be required to meet light trespass requirements into a street right-of-way. When a sign's design creates a reasonable assumption that light trespass levels may be exceeded the Zoning Administrator may request the manufacturer's information for projected illumination levels with the application for a sign permit.

## *Section 6.9.7 Signs allowed with electronic changing messages*

Signs specifically permitted to incorporate electronic changing messages using devices such as digital panels, electronic message boards, LED, LCD, plasma screen and similar displays shall conform to the requirements of this Section.

A. **Electronic changing message signs permitted:**

1. Signs identified in Section 6.9.12 Specialized Signs.
2. Signs for Community cultural or civic uses, museums, and facilities.
3. Freestanding signs for places of worship and schools.
4. No freestanding signs within the exterior boundary of the A/LDR land use designation of the General Plan shall incorporate electronic changing message panels except for those identified in Section 6.9.7. A. 2 and 3 above.

B. **Design.**

1. On freestanding signs, the electronic changing message component is limited to a maximum of seventy-five (75%) of the permitted sign face area.
2. The area of the electronic changing message component is counted as part of the permitted sign area.

C. **Illumination levels.**

1. Electronic changing message signs shall not exceed the following maximum luminosity limits.

**Table 6.9.7 Maximum Illumination Levels**

| Sign Type | Maximum illumination level | |
|---|---|---|
| | Sunrise to Sunset | Sunset to Sunrise |
| Pedestrian oriented | 1200 nits | 150 nits |
| Drive-through / menu boards | 1200 nits | 150 nits |
| Street-oriented signs | 1500 nits | 300 nits |
| Freeway Pylon Signs | 5000 nits | 500 nits |

2. In areas of high nighttime illumination the maximum level of illumination may be set by empirical observation by the Zoning Administrator but such signs shall not exceed light trespass limits on adjacent properties.

> Digital signs need to be bright enough to overcome full sunlight. This light level is excessively bright in less than full sunlight at dawn, dusk and at night. Automatic adjustments dim the sign at times when ambient light levels are lower after sunset and before sunrise. They also turn signs off at night when the business is closed to protect the Community's dark skies.

D. **Operation.**

1. Wall signs shall be turned off when the business is closed but not later than 10 p.m. in LZ-1 or LZ-2.
2. All signs shall use an automatic system to control the illumination level and operation of the sign. A certification from the sign manufacturer shall accompany any sign permit application evidencing that:
   a. The sign has been or can be pre-set or is equipped not to exceed the maximum illumination levels.
   b. The sign is equipped with sensors, timers and/or controls that automatically adjust the brightness of the sign to the levels required in this Section.
3. Except for civic uses providing governmental Community announcements, messages shall only be permitted to change not more than once every twenty 20 seconds (dwell time) or when the event or price advertised changes, whichever is less frequent.
4. Transition between displays shall be by smooth fade in / fade out spanning not less than four (4) seconds and shall not cause an abrupt change in lighting levels.
5. Sequential messages requiring more than one image to complete the individual message are not permitted. If several events, movies, prices, items, etc. are being advertised, they may be advertised together on the same image displayed.
6. Streaming of video content and operation or illumination levels other than as stated in this Section are not permitted.

E. **Measurement of sign illumination levels.**

1. Illumination of digital signs shall be measured within the optimum viewing angle of the sign where the output is the brightest in accordance with the operation manual of the instrument(s) used to make the measurement.

a. If conformance with maximum illumination levels needs to be verified, the cost of the measurement will be the responsibility of the sign owner.

b. Alternatively, the maximum and minimum levels of illumination may be set by empirical observation by the CDD Director of the installed sign.

c. The owner of the sign shall cooperate during testing procedures, for example, by turning the sign on or off, displaying a white image (100% red, 100% blue, 100% green) or displaying a series of typical images, adjusting the illumination level to known settings as necessary.

2. Illumination of all signs related to trespass levels shall be measured as part of the total empirical measurement of light emitted from a site with all sources of nighttime illumination typical of the site use turned on.

## *Section 6.9.8 Comprehensive sign plan*

A. **Purpose.** The comprehensive sign plan provides design compatibility of signs including sign types, styles, fonts, colors, materials and methods of illumination. The plan integrates sign design with the architectural theme and character of the development, organizes the distribution and display of signs, and describes the size, height, number, function and location of signs.

B. **Requirement.** A comprehensive sign plan is required when:

1. Wall signs are proposed to be located remotely within the same development on an exterior building wall other than that of the tenant related to the sign.

2. In developments of more than ten (10) acres, the Zoning Administrator may waive this requirement for uses that would not benefit from a sign plan (e.g., developments with only a few, large single-tenant uses).

C. **Approval Process.**

1. The application for, or an amendment to, a comprehensive sign plan shall follow the Development Review process.

2. Signs shall conform to the purpose and requirements of this Article, and to the character of the zoning district in which the signs will be located.

D. **Exceptions.** The Zoning Administrator may grant certain exceptions to the size, height and/or number requirements of this Article up to twenty (20) percent, when the particular exception conforms with the purpose of this Article in Section 6.9.1, in conjunction with approval of a comprehensive sign plan for the following:

1. Commercial developments of fifty (50) acres or greater.

2. Auto malls or parks with more than one dealership.

3. Specific uses including:

a. Large entertainment venues.

b. Hospitals with multiple ancillary services and structures.

c. Hotels and commercial lodging facilities.

d. University or college campuses.

E. **Evaluation Criteria.** All comprehensive sign plans will be evaluated using the following criteria:

1. Aesthetics. Signs shall maintain the appearance of a high quality environment appropriate to surrounding context. Sign style, design themes and materials shall be compatible with the architecture, colors, and materials of the project design themes and be well integrated with building architecture and landscaping.

2. Placement. All signs shall be placed where they are visible and legible for their intended function. Factors to consider include the purpose of the sign, its location relative to traffic movement and access points, site features, structures and orientation relative to viewing

distances and viewing angles. In commercial centers in which some tenants have little or no visibility from the street, wall signs may be approved on building walls other than the wall of the space occupied by the tenant.

3. Quantity. The number of signs that may be approved within any development shall be sufficient to provide project identification and to facilitate internal circulation and way-finding. Factors to be considered shall include the size of the development, the number of development sub-areas, and the division or integration of sign functions.

4. Size. All signs shall be no larger than necessary for visibility and legibility. Factors to be considered in determining appropriate size include topography, volume and speed of traffic, viewing distances and angles, proximity to adjacent uses, size of sign copy, placement of display, lettering style and the environment in which the signs are placed.

F. **Signs not addressed in a comprehensive sign plan.** If the comprehensive sign plan does not address a particular sign or condition, the requirements of this ordinance apply.

G. **Permits.**

1. When a comprehensive sign plan is required, no sign permit will be issued until a comprehensive sign plan is approved.

2. Within a development for which a comprehensive sign plan has been approved permits will only be issued for signs that comply with the approved comprehensive sign plan or with this Article if the sign is not otherwise addressed in the sign plan.

## *Section 6.9.9 Permanent wall mounted signs*

Permanent wall-mounted signs require a sign permit and shall conform to the requirements of this Section.

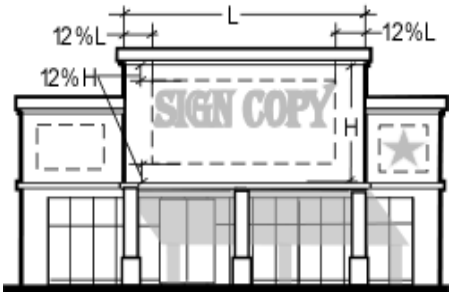
A. **Sign Placement.**

1. Placement of sign copy on a wall segment, defined by wall edges and by architectural features such as parapet caps, windows, buttresses, adjoining roofs, wall offsets, openings, and other features that interrupt the wall plane, shall be:

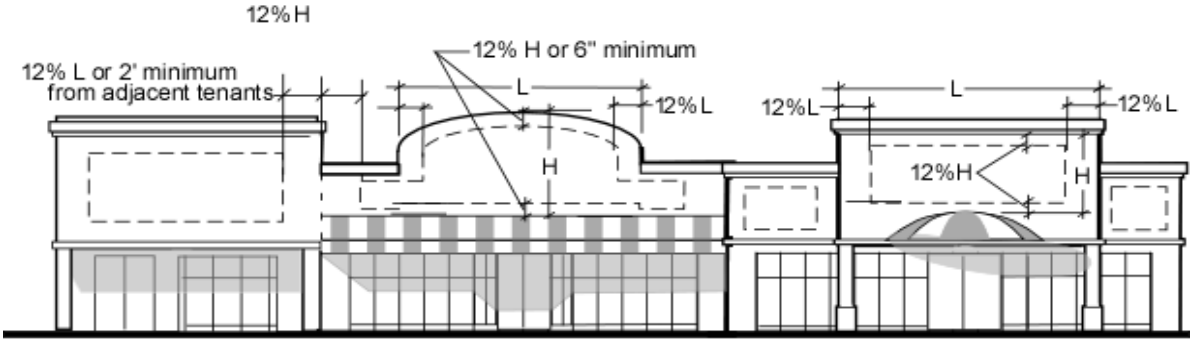
   a. No closer to the top or bottom of the wall segment than twelve (12) percent of that wall segment's height or six (6) inches, whichever is greater.

   b. No closer to the side edges of the wall segment than twelve (12) percent of the wall segment's width or one (1) foot, whichever is greater.

   c. No closer than two feet from the edge of the tenant space or any sign of another business.




2. The placement requirements in paragraphs 6.9.9.A.1.a and b shall not require signs to be placed more than four (4) feet from top, bottom or side edges of walls regardless of the segments height or width.




**Wall Sign Placement**

3. Wall signs shall be flush mounted, and not extend more than twelve (12) inches from the surface of the wall.
4. Wall signs based on Table 6.9.9 shall be required to meet the sign placement requirements. Signs that encroach on the surrounding clear space area shall be decreased in area to meet the wall placement requirements.
5. Wall signs may not be mounted on roof-top appurtenances, elevator shafts or other elements allowed to exceed building height in Section 3.2.2.D.

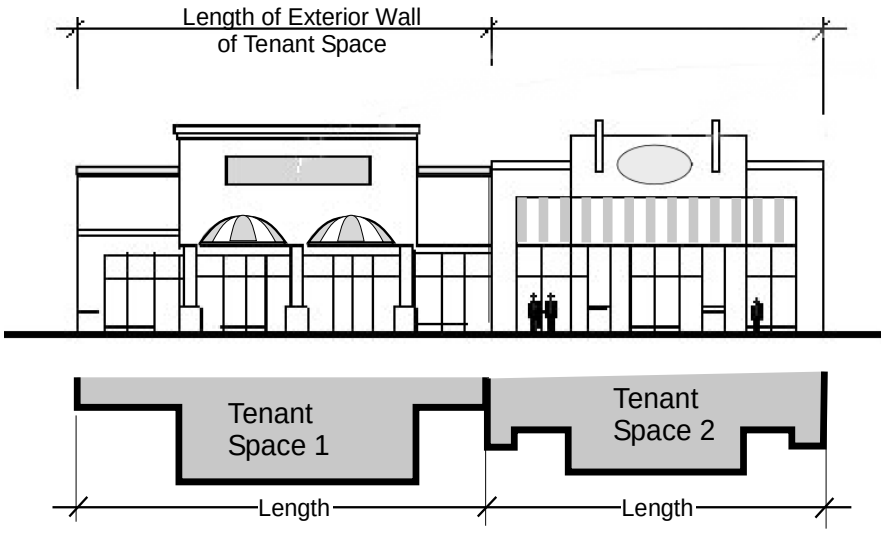
**Table 6.9.9 Maximum size allowed for permanent wall signs**

| Category of Land Use (As listed in the Land Use Table in Chapter 4) | Total area of wall signs per tenant elevation | Maximum area per individual sign[1] | Maximum height of letters or characters[2] | Maximum total area of wall signs per tenant elevation on building elevation directly facing and within 600' of a freeway right of way | Maximum height of letters or characters on building elevation directly facing and within 600' of a freeway right-of-way[2] |
|---|---|---|---|---|---|
| Agricultural | 12 sf. | 12 sf. | 12" | 12 sf. | 24" |
| Residential | 4 sf. | 4 sf. | 6" | 4 sf. | 18" |
| Institutional & Civic | 1 ½ sf./lf. | 150 sf. | 24" | 1 ½ sf./lf. | 36" |
| Office/Professional Service | 1 sf./lf. | 150 sf. | 24" | 1 ½ sf./lf. | 36" |
| Commercial Retail/Service Trades in all districts except C1 | | | | | |
| Pad Buildings | 1 sf./lf. | 75 sf. | 24" | 1 ½ sf./lf. | 36" |
| Tenant space <5,000 sf. | 1 sf./lf. | 75 sf. | 24" | 1 ½ sf./lf. | 36" |
| Tenant space 5,000-20,000 sf. | 1 ¼ sf./lf. | 112 sf. | 36" | 1 ½ sf./lf. | 48" |
| Tenant space 20,001-75,000 sf. | 1 ¼ sf./lf. | 150 sf. | 48" | 1 ½ sf./lf. | 60" |
| Tenant space >75,000 sf. | 1 ½ sf./lf. | 250 sf. | 60" | 2 sf./lf. | 72" |
| In the C1 district (all uses) | ½ sf./lf. | 100 sf. | 18" | ½ sf./lf. | 30" |
| Lodging | 1 sf./lf. | 250 sf. | 24" | 1 ½ sf./lf. | 36" |
| Entertainment and Commercial Recreation | 1 sf./lf. | 150 sf. | 24" | 1 ½ sf./lf. | 36" |
| Large Entertainment Venue Tenant space < 75,000 sf. | 1 ½ sf./lf. | 250 sf. | 48" | 2 sf./lf. | 60" |
| Tenant space ≥75,000 sf. | 2 sf./lf. | 300 sf. | 72" | 2 ½ sf./lf. | 84" |
| Industrial | ½ sf./lf. | 150 sf. | 24" | ½ sf./lf. | 36" |
| Storage Warehousing | ½ sf./lf. | 150 sf. | 24" | ½ sf./lf. | 36" |
| Transportation-Related Facilities | ½ sf./lf. | 100 sf. | 24" | ½ sf./lf. | 36" |

[1] Maximum of four (4) wall signs per tenant space.
[2] Maximum height of a single letter or logo may be increased an additional twelve (12) inches.
Multi-story Buildings see Section 6.9.9.D.
Designated "Freeway frontage sign wall" see Section 6.9.9.E.

B. **Sign area permitted on the ground floor of tenant spaces.** The permitted area of permanent wall signs is based on the category of use the related sign serves and the length of the ground floor exterior tenant walls as listed in Table 6.9.9.

1. The linear footage of wall elevation is measured in feet in a straight line parallel to the exterior wall of the tenant space at the ground floor of the building, including for multi-story buildings.
2. Primary frontage wall is the side of the building or tenant space where the primary entrance of the business or building is located.
3. The area of wall signs includes all business identification, service or product descriptors, brands, modifiers, logos, etc. for the primary tenant and for any subtenant or remote sign.
4. Permitted square footage of signs cannot be transferred between exterior wall elevations or between different tenants.




C. **Buildings with large setbacks.** When a wall sign is more than five hundred (500) feet from the street that the sign is oriented towards, the maximum letter height may be increased by one (1) foot. Measurement is made from the center of the sign to the nearest point of the street pavement.

1. The maximum allowed height of any letter or character is seventy-two (72) inches, except that the maximum height of any logo when displayed with the name of the related business is ninety-six (96) inches.
2. Where applicable, the one (1) foot letter height adjustment may be incorporated into a comprehensive sign plan, however, the maximum letter height shall not exceed seventy-two (72) inches. The letter height adjustment is not in addition to any other permitted increase in letter height.
3. The maximum area per sign shall not exceed the maximum permitted for the related use listed in Table 6.9.9.

D. **Multi-story buildings.** Signs are only permitted on the first and top story of multi-story buildings as follows:

1. Signs on the top story.
   a. Wall signs may be located on any two of the top story elevations. Examples of top story signs include the name and/or logo of the building, development or a major tenant.
   b. The total area of signs on any one upper level elevation shall not exceed one hundred and fifty (150) square feet and shall be flush mounted parallel with the wall plane.

c. The maximum height of alpha-numeric characters is one (1) inch per foot of height of the wall it is mounted on up to a maximum of seventy-two (72) inches.

d. The maximum height of logos is one and one-half (1 1/2) inches per foot of height of the wall it is mounted on up to a maximum of ninety-six (96) inches.

2. Middle story tenants. Tenants located between the first and top stories of a building are permitted one (1) remote sign on a ground floor or top story exterior wall elevation of the building in which they are located in conformance with the regulations for the elevation and in conjunction with an approved comprehensive sign plan. The signs are counted as part of the maximum sign area permitted on the subject elevation.

3. Interior businesses. Business with no exterior walls visible from a street or public parking area and sub-tenants of a larger business are permitted one (1) remote sign on a ground floor or top story exterior wall elevation of the building in which they are located in conformance with the regulations for the elevation and in conjunction with an approved comprehensive sign plan. The signs are counted as part of the maximum sign area permitted on the subject elevation.

E. **Freeway frontage sign wall.** Commercial retail sales/service trades, lodging, entertainment and commercial recreation, large entertainment venues/service, and institutional and civic uses may designate one (1) building wall visible from and within three hundred (300) feet of a freeway right-of-way as a freeway frontage sign wall. All applicable sign regulations and the following apply to signs on designated freeway frontage sign wall.

1. An approved comprehensive sign plan addressing design standards and administration procedures for the wall signs on the designated frontage sign wall is required.

2. The wall must have excess sign area available after accommodating the building tenants in order to be considered as a freeway frontage wall.

3. Signs shall conform to Table 6.9.9 and be based on the land use of the business or use for each sign and not the use or size of the building hosting the frontage wall.

4. The designated freeway frontage sign wall may only be placed on one (1) story of the building.

5. The total length of all signs on the designated freeway frontage sign wall shall not exceed forty (40) percent of the length of the designated freeway frontage sign wall.

6. Building owner shall provide written approval for the freeway frontage wall.

F. **Illumination and operation.** Wall-mounted signs may be externally or internally illuminated in compliance with Section 6.9.6.

## *Section 6.9.10 Permanent Freestanding Signs*

Permanent freestanding signs are permitted with an approved sign permit in conformance with the requirements of this Section. Freestanding signs described within this section are not allowed on freeways.

A. **Number, size and spacing.** The number, height, area and spacing of freestanding signs permitted is shown in Table 6.9.10.

1. The permitted area of freestanding signs is not transferable between freestanding signs.

**Table 6.9.10 Freestanding Signs: maximum number, height, area and spacing.**

| Type of use or development | Maximum number of signs per length of street frontage | Maximum height | Maximum aggregate sign area per sign | Minimum between signs along one side of a street |
|---|---|---|---|---|
| Any land use except Residential/Agricultural - Single tenant | | | | |
| on sites 5 acres or less | 1 per street frontage | 5 ft. | 14 sf. | 300 ft. |
| on sites over 5 acres | 1 per street frontage | 6 ft. | 18 sf. | 300 ft. |
| Pad building in a larger development | 1 sign per building | 6 ft. | 12 sf. | 150 ft. |
| Office/Institutional/Civic/Cultural - Multi-tenant | | | | |
| on sites 5 acres or less | 1 per street frontage | 6 ft. | 20 sf. | 150 ft. |
| on sites >5 to 10 acres | 1 per street frontage | 8 ft. | 26 sf. | 300 ft. |
| on sites over 10 acres | 1 per 600 ft. | 12 ft. | 45 sf. | 300 ft. |
| Commercial Retail/Service Development, Entertainment/Commercial Recreation (except C1 District) - Multi-tenant | | | | |
| on sites 5 acres or less | 1 per street frontage | 6 ft. | 30 sf. | 150 ft. |
| on sites >5 to 10 acres | 1 per 300 ft. | 8 ft. | 45 sf. | 300 ft. |
| on sites >10 to 40 acres | 1 per 300 ft. | 12 ft. | 60 sf. | 300 ft. |
| on sites over 40 acres | 1 per 600 ft. | 18 ft. | 098 sf. | 300 ft. |
| Pad building with multiple tenants | 1 sign per building | 6 ft. | 20 sf. | 150 ft. |
| Commercial Retail/Service Development, Entertainment/Commercial Recreation (C1 District) - Multi-tenant | | | | |
| on sites 5 acres or less | 1 per street frontage | 6 ft. | 14 sf. | 150 ft. |
| on sites over 5 acres | 1 per street frontage | 6 ft. | 20 sf. | 300 ft. |
| Lodging / Visitor Accommodations | 1 per street frontage | 6 ft. | 20 sf. | 300 ft. |
| Industrial Uses/Storage Warehousing/ Transportation | | | | |
| on sites 10 acres or less | 1 per street frontage | 6 ft. | 20 sf. | 300 ft. |
| on sites over 10 acres | 1 per 600 ft. | 10 ft. | 36 sf. | 300 ft. |
| Large Entertainment Venue | | | | |
| Use < 75,000 sf. | 1 per street frontage | 10 ft. | 76 sf. | 300 ft. |
| Use ≥ 75,000 sf. | 1 per street frontage | 18 ft. | 96 sf. | 300 ft. |
| Residential/Agricultural Uses | | | | |
| Single dwelling unit | 1 sign | 3 ft. | 4 sf. | n/a |
| Ranch or farm | 1 sign at primary entrance | 4 ft. | 10 sf. | n/a |
| Residential development sign | 1 sign at primary entrance | 3 ft. | 24 sf. | n/a |
| Specialized Signs | | | | |
| Service Station Signs | 1 per street frontage | 6 ft. | 14 sf. | 150 ft. |
| with sub tenants | 1 per street frontage | 6 ft. | 20 sf. | 150 ft. |
| Center Identification Signs for multi-tenant developments on 20 acres or more. | 1 per arterial frontage at one or both sides of the primary entrance | 4 ½ ft. | 36 sf. | 150 ft. |

i. Freeway pylon signs are not included in this Table. See Section 6.9.11.
ii. Minimum spacing between signs applies to all signs requiring a permit within the same development.
iii.Multi-tenant signs may be used in lieu of single tenant signs to meet sign spacing requirements.
iv.The size of single or multi-tenant signs is based on the size of the site occupied by the uses.
v. Calculation of acres shall be rounded up or down to the nearest whole number.

B. **Placement.** Freestanding signs shall be located as follows:

1. Spacing between signs.

   a. Signs shall not be closer to any other freestanding sign than the minimum distance between signs as listed in Table 6.9.10.

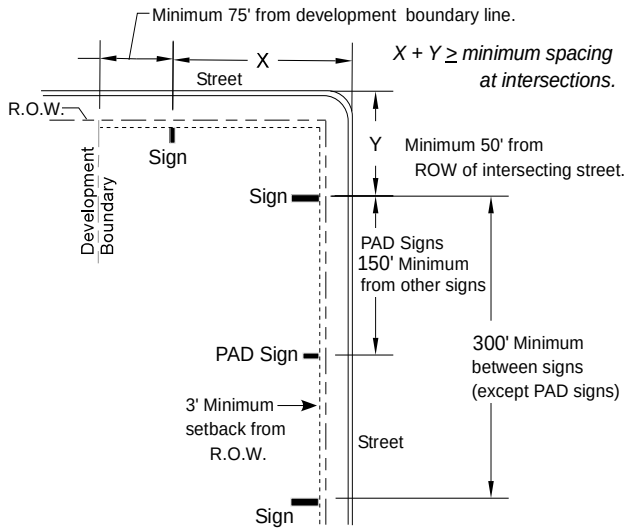
   b. Sign spacing shall be measured along the edge of pavement of the abutting streets. On a corner property, the sum of distances on each street must meet or exceed the required minimum separation.

2. Be located on the same site or within the same development as the related use or business.

3. Be no closer than three (3) feet from any street right-of-way and no closer than seventy-five (75) feet from the property line of an abutting property.

4. Not be located within clear vision areas required for traffic visibility per legal requirements.

5. Be within a landscaped setting with a minimum area of four (4) times the area of the signs largest elevation including sign face, structure, pedestal, decorative elements, etc.



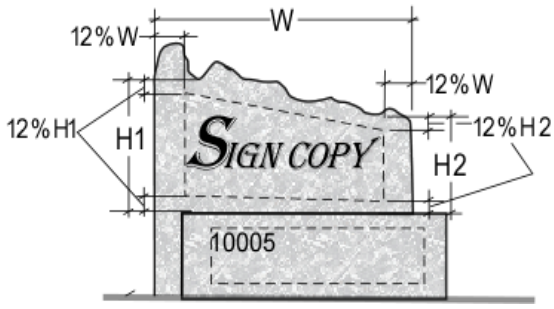

**MINIMUM SIGN SPACING:**
**Along street frontages, At intersections, and from Development boundaries**

C. **Design.**

1. Placement of sign copy on a freestanding sign shall be:

   a. No closer to the top or bottom of the edges of the background the sign is mounted on than twelve (12) percent of the height of the background.

   b. No closer to the side edges of the background which the sign is mounted on than twelve (12) percent of the width of the background.




2. All freestanding signs shall be monument-type with a base of masonry, stone or other natural or architectural grade material approved through the sign permit review process.

3. All sign panels on a multi-panel freestanding sign shall be attached to one common integrated monument type structure.

D. **Illumination and operation.** Freestanding signs may be externally or internally illuminated in compliance with Sections 6.9.6 and/or 6.9.7.

## *Section 6.9.11 Freeway pylon signs*

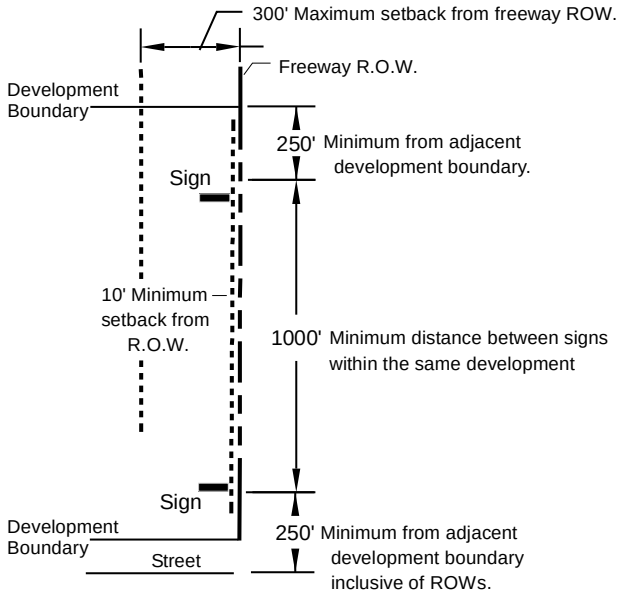
Developments in the Mixed Use Commercial Area as designated in the General Plan and having a minimum of one-thousand (1000) feet of frontage abutting a freeway right-of-way may have freeway pylon signs in conformance with this Section.

A. **Required approval.**

1. Freeway pylon signs shall be part of an approved comprehensive sign plan.
2. A sign permit and Development Review approvals are required for all freeway pylon signs.
3. Freeway pylon signs are not permitted to incorporate electronic changing messages.

B. **Number of signs.** One (1) sign for the first one thousand (1000) feet, two (2) signs for the first fifteen hundred (1500) feet plus one (1) sign for each additional one thousand (1000) feet over fifteen hundred (1500) feet of frontage.

C. **Height of signs.** The height of a freeway pylon sign shall not exceed forty (40) feet above the grade of the nearest travel lane as measured perpendicular to the sign location, or sixty-five (65) feet above the natural grade as described in Section 6.9.5, whichever is lesser.




**Pylon Sign Placement and Spacing**

D. **Sign area.** The maximum sign area shall not exceed five hundred (500) square feet.

E. **Location of signs.** Freeway pylon signs shall be on the site of the center or business(s) being advertised and be as follows:

1. Within three hundred (300) feet of the freeway right-of-way.
2. No closer than two hundred and fifty (250) feet from an adjacent property or development site inclusive of the width of any street right-of-way.
3. No closer than one thousand (1000) feet from another pylon sign on the same site.

F. **Design of signs.**

1. Sign base and support structure shall be decorative or enclosed in a decorative cover.
   a. The width of the sign support/base shall be a minimum of one half the width of the sign.
   b. Pole-mounted signs are not allowed.
2. The sign face shall not be greater than seventy-five (75) percent of the background created by the sign structure and shall not be the highest part of the sign structure.
3. The base of the sign, accessory utility cabinets and other appurtenances shall be landscaped with a minimum seven (7) foot deep landscape screen. Refer to 6.3.9 for specific requirements with the exception that trees may be excluded.

G. **Orientation of signs.** In order to diminish visual impacts into residential and internal areas of the Community, freeway pylon signs shall be oriented in a manner that minimizes the view of the illuminated sign face as viewed from the east if adjacent to the 101 Freeway or from the north if adjacent to the 202 Freeway.

H. **Illumination of freeway pylon signs.**

1. Sign panels may be internally illuminated with an opaque background and translucent copy.

## *Section 6.9.12 Specialized signs*

The signs in this Section are permitted in conformance with the related regulations and may require Development Review approval as determined by the Zoning Administrator.

A. **Marquee signs.** Entertainment establishments with changing venues are permitted signs with changing content as follows:

1. Wall mounted marquee signs.
   a. Shall not extend higher than sixteen (16) feet above the adjacent grade and shall be located at the main entrance of the facility.
   b. The area of marquee sign is counted as part of the permitted wall sign area.
   c. Illumination may be internal or external or be an electronic changing message panel and shall be in conformance with Sections 6.9.6 or 6.9.7.
2. Freestanding marquee signs.
   a. One (1) of the permitted freestanding street signs per street frontage of the site, center or complex in which the use is located may incorporate a marquee sign.
   b. The maximum height, area and spacing of the marquee sign shall be determined by Table 6.9.10.
   c. The area of marquee signs are counted as part of the permitted freestanding signs.
   d. Illumination may be internal or external or be an electronic changing message panel that is in conformance with Sections 6.9.6 or 6.9.7.

B. **Display panels.** Entertainment establishments with changing acts or events (such as theaters advertising upcoming movie features or plays) are permitted up to four (4) display panels as follows:

1. Must be pedestrian oriented, no higher than seven (7) feet, no larger than twelve (12) square feet per panel, and wall or kiosk mounted.
   a. May be internally or externally illuminated or incorporate an electronic changing message panel in conformance with Sections 6.9.6 or 6.9.7 as applicable to the type of sign.
   b. Display panel area does not count as part of the permitted wall sign area.

C. **Menu boards.** Establishments serving food are permitted wall or freestanding menu boards with the following conditions:

1. One (1) menu board not exceeding nine (9) square feet at the primary customer building or drive-through lane entrance, which may be building, patio wall, fence, or kiosk mounted or be freestanding.
2. Two (2) menu boards per drive-through lane not exceeding thirty-five (35) square feet per board. Drive-through menu boards shall be screened in accordance with Table 4.2 for drive throughs and Section 6.3.9, and placed a minimum of seventy-five (75) feet from any residential use or A/LDR designated area of the General Plan Land Use Map.
3. The top of any menu board sign face shall not exceed seven (7) feet above the finished grade immediately adjacent to the sign.
4. Menu boards may be illuminated during business hours internally or externally, and may incorporate an electronic changing message panel in conformance with Sections 6.9.6 or 6.9.7 as applicable to the type of sign.
5. No sound shall exceed the sound limits in section 3.2.2.J at the site boundary.
6. Menu boards are not counted as part of the permitted wall sign area.

D. **Canopy signs.**

1. Signs located on a freestanding canopy shall:
   a. Not extend above or below the fascia of the canopy and shall be individually mounted letters or logos only.
   b. The area of a canopy sign shall not exceed twelve (12) square feet.

c. No more than four (4) signs shall be located on the canopy.

d. No more than two (2) signs shall be located on any side of the canopy.

2. Signs located on a canopy attached to a building are included in the permitted wall sign area, and may be mounted on the top of the canopy if they consist of standing letters or logo (not cabinet signs) and the sign does not extend higher than the building wall to which the canopy is attached.

3. Canopy signs shall not incorporate electronic changing images except as part of a marquee, where permitted.

E. **Development Entry Signs.** Developments of twenty (20) acres or more are permitted entry signs at one major entrance per arterial or collector street as part of an approved comprehensive sign plan. Entry signs shall:

1. Be a maximum of four (4) feet in height above the adjacent curb or pavement.

2. Be within a landscaped area with at least seven (7) feet of depth between the sign and the street right-of-way landscaping.

3. Be outside the required clear vision area at the intersection of the streets and driveways.

F. **Service Stations** are permitted the same wall signs and freestanding signs as listed in Tables 6.9.9 and 6.9.10, in conformance with the following:

1. One (1) permitted freestanding sign per street frontage may incorporate changing messages subject to the following:

a. The sign may be internally or externally illuminated or have an electronic changing message not exceeding nine (9) square feet in area.

b. The sign area may be incorporated into a multi-tenant sign where a multi-tenant monument sign is allowed.

2. Signs not exceeding six (6) square feet in area that are located near or on the fueling pump are allowed and shall not be directly illuminated. No sign permit is required.

3. Canopy signs shall be in conformance with part D of this Section.

G. **Shingle signs or pendant signs** are permitted in conformance with the following:

1. Each individual sign shall not exceed five (5) square feet in area.

2. Shall be pedestrian oriented and mounted perpendicular to the building line. May be mounted to building façade or suspended from a canopy, be no higher than the ceiling of the first story, and shall not extend beyond the awning, canopy or walkway cover or, if no cover exists, extend beyond eight (8) feet from the building wall.

3. A minimum of eight (8) feet of clearance is required between a sidewalk and the bottom of the sign.

4. Illumination shall be only by ambient or indirect light and not by direct external or internal sources.

5. Signs may be kinetic only if wind driven such as a cloth flag or pendent.

H. **Super-graphics** such as murals, works of art, prints or architectural graphics permanently or temporarily applied to any building façade are permitted with the prior approval through a Development Review process provided they are a reflection the culture of the Salt River Pima-Maricopa Indian Community.

1. The area of super-graphics is not included in the calculation of maximum allowed sign area.

2. When a comprehensive sign plan is required, any proposed super graphics shall be addressed in the plan.

3. Where super-graphics contain commercial advertising, the entire graphic will be considered a sign.

I. **Directory signs** not exceeding fifteen (15) square feet may be located at customer entrances to buildings shared by multiple tenants or having multiple departments.

1. Directory signs shall be pedestrian oriented and may be wall mounted or freestanding.
2. The sign area is not counted as part of the maximum sign area permitted.

J. **Directional signs.** Properties occupied by multiple buildings, multiple tenants or larger uses providing multiple services such as an office complex, shopping mall, institution or hospital are permitted directional signs compatible with the architectural style or theme of the development, if when in conformance with the following:

1. Directional signs for pedestrians:
   a. Shall be placed along major pedestrian ways provided that they do not block the views to traffic or create an unsafe condition.
   b. Shall not exceed nine (9) feet in height and not to exceed fifteen (15) square feet in area and are in addition to any maximum allowed sign area or number of signs.
   c. May be internally or externally illuminated.
   d. The number of signs shall be limited to those necessary for effective way-finding as determined by the Zoning Administrator.
2. Directional signs for vehicular traffic lanes:
   a. Shall be located within parking area medians or islands or along internal streets.
   b. Shall not exceed four (4) feet in height and not to exceed twelve (12) square feet in area and are in addition to any maximum allowed sign area or number of signs.
   c. May be internally or externally illuminated.
   d. Placement of more than one (1) directional sign for each five (5) acres of a site shall be limited to those necessary as determined by the Zoning Administrator.
3. Way-finding, gateway and special district signs. Signs that provide direction to destinations within the Community, signs that denote a point of interest or identify an entry way or boundary of the Community or identify an approved district within the Community, such as branding signs, are permitted subject to the following:
   a. Design.
      1). The design of all such signs shall be approved though the Development Review process as part of a coordinated way-finding or branding system of signs.
      2). Such signs may be freestanding, building-mounted, or mounted on street lights or other installations.
   b. The area of such signs is not counted as part of the maximum permitted sign area for the site or location on which it is incorporated.

K. **Flags shall conform to the following:**

1. Up to five (5) flags may be displayed on a site with Development Review approval.
2. Height and Area
   a. Flagpoles shall not be higher than five (5) feet above the highest point of the roofline; and
   b. Flagpoles shall not exceed the height of the distance from the flagpole location to any adjacent lot line; and
   c. The area of the flag shall be no greater than three (3) times the height of the pole.
3. All pole-mounted flags require a sign permit.
4. Any flag may be displayed by the Community government or a governmental agency to convey information as necessary. For example, air quality indicator flags.

5. A United States flag may be displayed along or in conjunction with other permitted flags and shall adhere to position and manner of display as published in the United States Code, Title 4, Chapter 1, The Flag, as revised.
6. Display of the SRP-MIC government flag or any government flag shall conform to SRP-MIC legal requirements.
7. Only national or government flags are permitted to be illuminated and shall be illuminated in a downward direction and in conformance with Section 6.8.7.H.
8. Flags used for advertising are counted as part of the permitted freestanding sign area if pole-mounted on the ground and as part of the permitted wall sign area if building-mounted.

### *Section 6.9.13 Temporary signs requiring a sign permit*

Signs described in this Section are allowed with a permit and in conformance with the regulations and standards in this Section. The area of these signs is in addition to the maximum permitted area of permanent signs.

A. **Lighted signs** whether externally or internally lit.

B. **Construction project identification signs** provided during the construction of a project listing the project information such as name and address and those of the architects, owners, funding sources and contractors directly involved in the design, funding and construction of the development on the site are allowed, as follows:

1. Time Limit. Signs are allowed to be displayed from the time a construction permit is issued until the time of issuance of a final or temporary certificate of occupancy. Upon issuance of a certificate of occupancy the sign shall be removed by the owner of the sign, lessee or property owner.
2. Location. Signs may be ground-mounted on the development site or may be applied to the construction fencing at the perimeter of the site.
3. Height. Ground-mounted signs shall not exceed eight (8) feet in height. Signs attached to construction fencing shall not exceed the height of the construction fence.
4. Size. The total number and aggregate area of signs shall be as reasonably approved by the Zoning Administrator.
5. Illumination. Signs shall not be illuminated.
6. The owner of the sign shall maintain the sign in a like-new condition and free of graffiti.
7. Permanent signs on construction vehicles or trailers used by contractors during the time the contractor is employed on the site are permitted.

C. **Future development sign.** A sign announcing an approved future development on the same site, including information pertaining to the project such as the names of the architects, developers, contractors and real estate contacts are permitted as follows:

1. Time Limit. Signs may be displayed for up to twelve (12) months and shall be removed by the owner of the sign, lessee or property owner prior to the issuance of a final certificate of occupancy;
2. Size and height. Signs shall be a maximum of eight (8) feet in height and a maximum of fifty (50) square feet in area. Up to an additional two hundred (200) square feet of area is allowed for graphics depicting the future project.
3. Number. Only one sign shall be displayed per street frontage.
4. Illumination. These signs shall not be illuminated.
5. Type. All such signs shall be ground mounted.

D. **Interim business identification signs.** Interim signs identifying a new business are allowed subject to the following:

1. Location. Interim signs shall be placed on the building wall of the business or in the window of the tenant space.
2. Design. Interim signs may be banners or temporary individual letters of durable weather resistant materials.
3. Size. Interim signs shall not exceed the sign area permitted for permanent signs of the same type (i.e., wall signs or window signs).
4. Time Limit. Interim sign permits shall expire thirty (30) days after the date of issuance or at the time a permanent sign is installed, whichever occurs first. An interim sign permit may be extended beyond thirty (30) days if an application for a permanent sign has been submitted.
5. Illumination. Illumination shall be by indirect ambient lighting or by lighting approved with the interim sign permit.

E. **Sign walkers** are permitted during special events or promotions as listed on the sign permit, subject to the following:

1. Permit. The approved sign permit must be in the possession of the sign walker during the display of the sign.
2. Permitted locations. Sign walkers are permitted only in the following locations:
   a. Within nonresidential zoning districts or areas designated as commercial mixed use or industrial on the General Plan land use map.
   b. On the premises of the business advertised or on the right-of-way abutting the development where the business is being advertised.
3. Prohibited locations. Sign walkers shall not be located in the following locations:
   a. In parking lot drive aisles or stalls, street or driveway medians, driving lanes, driveways or where they can physically interact with motorists.
   b. Where they block or impede the use of sidewalks, bicycle paths or trails in any way and at least a five (5) foot clearance for passage shall be maintained at all times.
   c. Where they may pose a hazard to others due to manipulation of the sign.
   d. Within thirty (30) feet of any driveway within one-hundred (100) feet of a street intersection, within five (5) feet of the curb or edge of the shoulder of any street, or within clear vision areas.
   e. On any raised structure or vehicle (e.g., fence, boulder, sign, utility box, transformer, elevated planter, wall or stilts).
   f. Within twenty (20) feet of any other sign walker who is advertising for a different business.
4. Display times. Signs shall be displayed only during the hours business is conducted during a special event or promotion as listed on the sign permit.
5. Handling and behavior. Signs may be held, worn, balanced or manipulated but shall be in the complete control of the sign walker at all times. Signs shall not be tossed in the air at any time. Sign walkers shall not interact verbally with anyone in a vehicle.
6. Size and design. Signs shall not exceed eight (8) square feet and shall not include illumination, flashing, blinking, or rotating lights; animation on the sign itself; mirrors, reflective or retro-reflective sheeting materials; attachments such as balloons, ribbons, streamers, sparklers, speakers; or devices emitting sound or light of any kind.

F. **Special event signs.** Signs for grand openings, special sales or promotions, and announcements of coming events are allowed with a sign permit and in some cases may require a special use permit as determined by the Zoning Administrator.

1. Sign Height. The height of the sign shall not exceed sixteen (16) feet.

2. Type. Signs may include posters, banners, pennants, sail signs, feather signs, spinners, streamers, flags and inflatable signs, or be wind-driven.
3. Area**.** No individual sign shall exceed one-hundred (100) square feet except for inflatable signs, which may be approved for a larger area by the Zoning Administrator.
4. Design/Construction.
    a. Signs shall be made of durable materials that will not be easily damaged by weather.
    b. All signs shall be self-supported and have their own frame or mounting devices and means of being anchored to the ground or weighted down to avoid being displaced, toppled, or detached.
    c. Signs shall not be mounted on fences, planters, other signs, utility poles or facilities, or any other structure except as specifically identified in the sign permit.
5. Illumination. Special event signs shall not be illuminated unless illumination is specifically approved with the special event permit.
6. Locations. Signs are permitted on the site of the related business or special event or at locations within the same overall development. Signs shall not be placed:
    a. Where they may create a traffic hazard by interfering with the movement or vision of pedestrians or drivers.
    b. Closer than three (3) feet behind the street curb or, where there is no curb, from the edge of the street shoulder.
    c. On private property without the consent of the property owner or lessee.
    d. In any driveway or required parking space other than those closed to vehicular traffic in conjunction with the special event.
7. Time limits.
    a. Any individual business or non-profit entity may display special event signs up to 120 days per calendar year, not including grand opening signs.
    b. Grand opening signs for a new business may be displayed for up to three (3) months or 91 days consecutively within the first year of business.
8. Removal. Signs shall be removed within one (1) day after the special event concludes. The person who installed the signs, the sign owner and the person responsible for the event advertised are jointly and individually responsible for removal of the signs.
9. Exception. Signs ten (10) square feet and smaller shall meet the requirements of this section but do not require a sign permit.

G. **Real estate signs.** Signs advertising the sale or lease of property are permitted subject to the following regulations:

1. All real estate Signs shall be displayed only on the property to which they pertain.
2. One (1) sign is allowed per street frontage.
3. The signs shall be removed when the purpose is fulfilled.
4. In the C1, C2, C3, LI, AP and MB zoning districts:
    a. Ground-mounted signs may be a maximum of thirty-two (32) square feet in area and eight (8) feet in height.
    b. Wall-mounted signs shall be a maximum of seventy-five (75) square feet.
    c. Window signs shall be a maximum of sixteen (16) square feet and shall conform to Section 6.9.14. B.4.
5. In the AR, OS and NR residential zoning districts:

a. Ground or mounted signs shall be a maximum of six (6) square feet and four (4) feet in height.

b. Window and wall-mounted signs shall be a maximum of four (4) square feet.

H. **Address Signs.** Building address signs shall comply with the following:

1. Address Signs shall be placed on all nonresidential buildings.
2. Location. Address signs in multi-building complexes shall be visible from public access to the property. When a building is internal to a multiple building site the address shall be visible from the internal drive or a walkway.
3. Height and size. Address numerals shall be at least five (5) inches and not exceed six (6) square feet in area.
4. Illumination. In nonresidential areas, address signs may be illuminated as part of a sign or be indirectly illuminated.

I. **Business access signs during construction.** When a primary business access is disrupted by construction or work of a public entity or utility on a roadway, the business or the entity doing the construction may provide temporary signs as approved by SRP-MIC Engineering Construction Services division to clarify access to the businesses.

## *Section 6.9.14 Signs allowed without a sign permit*

Signs described in this Section are allowed without a sign permit provided that they conform to the applicable regulations in this Section.

A. **General regulations.** All signs addressed in this Section:

1. Are in addition to any maximum permitted area of permanent or temporary signs.
2. Shall comply with SRP-MIC legal requirements.
3. Shall not be displayed in a manner that constitutes a traffic or pedestrian hazard, shall not be placed in a street right-of-way except as specifically noted in this Section or as authorized by the Community, and shall conform to all applicable sign placement requirements of this ordinance.
4. Shall be securely attached, weighted down or designed so as not to be susceptible to becoming unattached or blown over or away by wind, and shall consist of materials that can withstand exposure to sun, wind and rain.

B. **Advertising Signs.**

1. Integral signs. Signs, nine (9) square feet in area or less, that are integral to manufactured machines such as vending machines, ATM machines and gas pumps do not require a sign permit and are not counted as part of the sign area.
2. Political Signs. Political signs are only permitted for elections in which residents of the SRP-MIC may vote and are regulated in terms of their location and time of display because of the secondary effects associated with such signs, such as litter, traffic safety and aesthetics in general, and not because of their content. All political signs are subject to the following:

a. Shall either be located on property with the owner's permission or within a public right-of-way or easement outside of the clear vision area per Section 6.3.5. E.

b. Shall not be located on SRP-MIC government property.

c. Shall not be installed more than sixty (60) days prior to and shall be removed within seven (7) days after the relevant election. At the end of the seven (7) day period, the sign becomes an illegal sign, and subject to enforcement per Section 6.9.3.

d. Shall not be illuminated, except by ambient lighting.

e. Shall contain the name, current address and phone number of the person responsible for their distribution.

3. Sidewalk signs. A portable sign such as A-frame, sandwich board, easel or marker boards, or pedestal posts, are permitted with authorization of the property owner or entity in control of the property, subject to the following:

   a. Sidewalk signs shall be oriented to pedestrians and only be used in a pedestrian environment.

   b. Signs shall only be displayed during the hours of operation of the related business.

   c. One (1) sidewalk sign is allowed per customer entrance. Where a group of tenants share a common pedestrian entrance or share a courtyard or outdoor mall entrance, one (1) sidewalk sign is allowed that shall serve all of the businesses sharing the entrance.

   d. Sidewalk signs are permitted only on the same site as the related business and as follows:

      1). Within one hundred (100) feet of the customer entrance and within the business base area.

      2). Not within any public rights-of-way, roadway easements, driveways, parking areas or other vehicular areas.

      3). Where a minimum five (5) foot wide unobstructed pedestrian pathway remains to and from all entrances and along all walkways.

      4). Alternate locations as approved by the Zoning Administrator.

   e. Size/Area. Sidewalk signs shall be a maximum of eight (8) square feet per side. The top of the sign face shall not be more than six (6) feet in height.

   f. Design. Sidewalk signs shall:

      1). Have a substantial base to prevent tipping from the wind and may be pole-mounted, “A”-Frame or Sandwich Board design.

      2). Be temporary, removable, freestanding, self-supporting and not be affixed or otherwise attached to other objects such as light poles, columns, trees, other signs, fencing, furniture and bike racks.

      3). Be constructed of durable materials and be painted with colors and materials that complement the architecture, hardscape or landscape of the building frontage.

      4). Be allowed non-electronic changeable message areas.

      5). Not be illuminated.

4. Window signs. Window signs, including all graphics and trademarks, are permitted in conformance with the following:

   a. Window signs may cover up to twenty-five (25) percent of the total area of the window or glass door in which it is placed,

   b. Signs or window treatments shall be placed in a manner that permits observation into the business for security. The view into a building shall be clear and unobstructed from a height of three (3) feet to six (6) feet from the adjacent grade.

   c. Window signs shall not be illuminated except for signs indicating that the business is open or closed.

   d. Window signs are not allowed in windows above the ground floor.

   e. Signs or advertisements placed within five (5) feet of a window and visible from outside the building are considered window signs and shall conform to these regulations. Displays of merchandise are not considered window signs.

C. **Non-advertising signs.**

1. Way-finding/Identification signs. Small, non-illuminated, wall signs of three (3) square feet or less may be used to label or identify entrances, loading docks, provide way-finding, display the name and/or profession or the occupant of the premises.
2. Holiday decorations and lighting shall conform to the following:
    a. Shall not be located in the public rights-of way.
    b. Shall not contain advertising content.
    c. Shall celebrate the occasion of nationally-recognized or culturally-relevant patriotic, religious, or Community holidays or occasions.
    d. The number of decorations is not limited.
    e. Shall not be displayed sooner than sixty (60) calendar days prior to the holiday to which they pertain, and shall be removed no later than fifteen (15) calendar days following the holiday to which they pertain.
3. Lead-in signs. Signs used in conjunction with garage sales or yard sales are permitted subject to the following regulations. Lead in signs are not permitted for permanent or temporary businesses.
    a. Number, size and height. Each site is allowed a maximum of three (3) signs. Each sign shall not exceed four (4) square feet in area and shall be mounted no higher than four (4) feet.
    b. Time limit. Signs shall be displayed only within twenty-four (24) hours of the sales event.
    c. Location. Signs shall not be placed in a traffic lane, street median, on a public sidewalk or bicycle path, closer than two (2) feet from the edge of pavement or from the edge of a street shoulder, or on any private property without permission of the owner or lessee of the property.
    d. Design. Signs shall be self-supporting, portable and anchored to the ground, weighted down or so attached to avoid being displaced in windy conditions or otherwise being a safety hazard to the public. Signs shall not be attached to traffic poles, utility poles or utility facilities.
4. SRP-MIC government and utility signs.
    a. Official notices of the Community government and other government agencies with legal jurisdiction.
    b. Official street, traffic, fire and police signs, devices and markings of the SRP-MIC or other competent public authority, or the posting of notices required by law or that are authorized by the Community.
    c. Signs of public utility companies indicating danger or that serve as an aid to public safety, or that identify the location of facilities.
    d. Temporary signs used to provide information related to unique situations for public safety.
5. Vehicular entrance and exit signs indicating direction of travel within a development that provide directional information only, are three (3) feet or less in height and three (3) square feet or less in area. If the sign is illuminated a sign permit is required.

### *Section 6.9.15 Prohibited signs*

The following signs are prohibited in all zoning districts except by approved variance.

A. Any sign placed in a public right-of-way other than those placed by the government of jurisdiction, by utility companies serving the SRP-MIC, or with an approved encroachment permit issued by the SRP-MIC.

B. Signs placed on Community or private property without the approval of the property owner or person in control of the property.

C. Signs that interfere with, obstruct the view of, or can be confused with any authorized traffic sign, signal or other traffic control device; or that obstructs a vehicle operator's vision within clear vision areas of street or driveway intersections.

D. Signs mounted in a manner or location that interferes with ingress to or egress from any door, window, or other exit or access required by the adopted Building Code and Fire Codes.

E. Signs mounted on or applied to rocks, trees, traffic signs, traffic or street lights, utility poles or rain gutters.

F. Signs on bus shelter structures or benches, except approved signs related to bus routes and schedules.

G. Signs on vehicles (trucks, automobiles, trailers, boats, or other vehicles) advertising a business on the premises parked immediately adjacent to or on any street abutting the premises and used for identifying the business premises or as additional on-site advertising for the related business.

H. Banners, pennants, kinetic signs, wind or motor driven signs, spinners, streamers, inflatable signs, flags and similar devices used to attract attention except with an approved permit.

I. Signs on vehicles parked on the site that do not have a valid state registration, are not in operational condition, are not used in the daily operation of the business, or are not parked in a designated parking space.

J. Signs with intermittent or flashing illumination or that create a rapid or attention-getting transition in images or in the level of illumination.

K. Permanent signs that are animated with moving parts, other than flag mounted signs.

L. Searchlights, strobe lights, holographic projections, laser light displays, beacons, projected images and similar devices used to attract attention except with an approved special use permit.

M. Permanent signs on or composed of inflatable objects that are airborne or float in the air whether tethered or not.

N. Signs or sign structures made wholly or partly of highly reflective material(s).

O. Permanent pole mounted commercial signs.

P. Signs advertising activities in violation of legal requirements or that contain obscene content.

Q. Roof-mounted signs except as specifically permitted in this ordinance.

R. **Off premises signs.** Signs identifying or advertising businesses, products or services other than those located on or provided on the same site or within the same development as the sign. Approved remote signs advertising uses, products or services other than those provided by the business related to the sign.

S. Obsolete signs.

# *Chapter 7* Supplemental Regulations

The purpose of this chapter is to provide one location where various ordinances that address specific topics related to land use can either be added or, in the case of existing ordinances, referenced for convenience of locating them.

## *Article 7.1 Wireless Communications Facilities (WCF)*

### *Section 7.1.1 Purpose*

A. **Purpose.** The intent of the Wireless Communication Facility Ordinance is to allow wireless communication facilities in certain areas of the Community while minimizing the visual, environmental and residential impacts. The intent is to encourage WCF design and locations that have the least amount of visual and residential impact. More preferred locations include commercial and industrial areas, while least preferred areas include residential, agricultural, school, open space and preserve areas.

B. **Applicability.** This Article shall regulate all WCF provided within the boundaries of the SRP-MIC, except for wireless communications facilities installed by or on behalf of the government for use specifically by SRP-MIC Law Enforcement Services, or other SRP-MIC governmental public safety entities. Microwave bypass is not permitted.

### *Section 7.1.2 General Provisions*

A. **General Compliance.** The wireless communications service providers shall adhere to all applicable legal requirements, including, but not limited to, the Federal Communications Commission (FCC).

B. **Reservation of Rights.** The SRP-MIC reserves the right under Chapter 17,Section 17-5.1(b) of the SRP-MIC Code of Ordinances to be the provider, either through its own resources or through contract with other governmental or private entities, of all telecommunication services, including, but not limited to, telephone, wireless, voice data services, the assignment and porting of telephone numbers, transport services, and other telecommunications facilities or services as may be established within the boundaries of SRP-MIC. Saddleback Communications is the exclusive provider of SRP-MIC's local telecommunications services.

C. **Exclusivity.** Saddleback Communications is the exclusive developer of Wireless Communication Facilities on the SRP-MIC. Bypass of Saddleback Communication's Wireless Communications Facility development services is not permitted. As the exclusive developer, Saddleback Communications shall be responsible for the establishment and placement of all wireless communication facilities within the SRP-MIC.

D. **Home Sites.** WCF shall not be allowed on established home sites.

### *Section 7.1.3 Definitions*

<u>ALTERNATIVE CONCEALMENT WCF</u> means a free-standing unoccupied structure that camouflages, integrates, or conceals the presence of wireless communications facility antennas, including, but not limited to, art sculptures, monument signage, artificial trees, artificial cacti, and rock formations. This does not include antennas concealed in buildings and within flagpoles.

<u>ANTENNA</u> means a device from which radio frequency signals are sent and received, including, but not limited to, "whip" (or stick) antenna, "panel" antenna, and dish antenna.

<u>CANISTER-MOUNT</u> means a cylindrical shaped form concealing wireless communication antennas mounted on a monopole, other type of pole or tower.

<u>CO-LOCATION</u> means the use of a single mount and/or structure by more than one wireless communications service provider, including, but not limited to, a tower, a monopole, a power pole, and a sports field light pole.

DEVELOPER means a person or a firm that improves raw land or an existing facility with labor and capital, and arranges for utilities and essential services, in order to build structures for rent.

EQUIPMENT CABINET means an enclosed shed, box or container placed at the base of, or near, a wireless communications antenna mount, or placed underground, within which are housed, among other things, batteries, cables, cable trays and electrical equipment.

HOME SITE means the premises where a house, building, adjoining structure(s) or portions thereof are occupied by a person or family as a residence.

MONOPOLE means a facility used exclusively for wireless communications antenna mounts and is self-supporting with a single shaft of steel, concrete or wood.

MOUNT means the ground or the structure to which a wireless communications facility is attached.

PROPERTY means allotment, home site or tribal land.

SNUG-MOUNT means an antenna mounted no more than eight (8) inches from the edge or face of the pole, tower or structure to which it is attached.

TELECOMMUNICATIONS SERVICES mean any service provided by a telecommunications provider.

TOWER means a facility used for wireless communications antenna mounts and consists of more than a single structural support, excluding tension cables or guy wires.

TWO WAY RADIO SYSTEM means any FCC licensed mobile hand-held radios and/or base station towers or poles used in the day-to-day operations to maintain logistics of its business.

WIRELESS COMMUNICATIONS FACILITY (WCF) means a facility for the transmission and/or reception of radio frequency signals, including over-the-air broadcasting signals, usually consisting of antennas, equipment cabinet, a support structure, and/or other transmission and reception devices. The following are not considered WCFs: Ham radio; amateur radio facilities; wireless and satellite systems located at homes for personal use; Community-owned or Division-operated Public Safety Radio; Community-owned or Division-operated two-way radio systems and/or television broadcasting towers; and Saddleback owned or operated point-to-point end-user facilities.

WIRELESS COMMUNICATIONS SERVICE PROVIDER means a company that offers transmission services to users of hand held or mobile wireless devices via remote base stations (aka "cell sites"). Also known as "cellular" or "PCS" service (personal communications services).

## *Section 7.1.4 Wireless Communications Criteria*

A. **WCF Concealment and Screening.** All WCF antennas, mounting hardware, and cabling shall be screened or covered and painted to match the color and texture of the building, tower, or pole on which it is mounted. Equipment cabinets including service panels and service connections shall be screened by solid walls, landscaping, and/or berms. Screening shall blend with or enhance the surrounding context in terms of scale, form, texture, materials, color and architectural theme. WCF shall be concealed as much as possible by blending it into the natural and/or physical environment. All visible elements of the WCF shall be of a similar color or palette. All gates shall be opaque.

B. **WCF Height.** The height of the free-standing WCF shall be measured from natural grade to the top of all appurtenances including antennas.

C. **WCF Setbacks.** The setback of all WCF shall meet the property development standards and setback requirements of the underlying zoning district, except as otherwise permitted herein.

D. **WCF Co-Location.** All new monopoles or towers over forty (40) feet in height shall allow for co-location by other wireless communications service providers. The applicant shall demonstrate that the engineering of the monopole or tower and the placement of ground-mounted WCF will accommodate other providers. The owner of the tower or monopole and the property on which it is located must certify that the monopole or tower is available for use by another wireless communications service provider on a reasonable and non-discriminatory basis.

E. **WCF in Street Right-of-Way.** All WCF facilities located within a street right-of-way shall be located as close to the edge of the right-of-way line as possible.

F. **WCF Lighting.** Any exterior lighting for WCF shall be downward facing, fully shielded, screened by the same screening as is surrounding the WCF, and located below the height of the screening. Lighting shall be manually operated only and illuminated only when needed for maintenance of the equipment.

G. **WCF Identification.** Each WCF shall be identified by a permanently-installed plaque or marker, no larger than four (4) inches by six (6) inches, placed in a readily-visible location and clearly identifying the wireless communications service provider's name, address and emergency contact phone number placed in a readily-visible location.

H. **WCF Equipment Cabinets.**

1. Shall be located inside buildings, screened behind walls, or buried underground.
2. Exterior colors and materials shall be compatible with and blend into the surrounding context.
3. Equipment cabinets located in a street right-of-way shall not exceed eight (8) feet in height above natural grade and fifty (50) square feet in size above natural grade. No screen wall is required.
4. Equipment cabinets located outside rights-of-way shall not exceed eight (8) feet in height, and three hundred and fifty (350) square feet in size per wireless carrier (size may be measured in the aggregate for all carriers) except when placed within a building, in which case cabinet shall not exceed twenty (20) feet in height.
5. All equipment cabinets located completely underground are exempt from property development standards.
6. Equipment cabinets with air-conditioning shall be enclosed by walls and setback a minimum of fifteen (15) feet from other property where the existing or planned primary use is residential.

## *Section 7.1.5 WCF Types*

All WCF are classified as Type 1, Type 2, Type 3 or Type 4. WCF Types are in the order of preference, with Type 1 being the most preferred with the least number of aesthetic impacts and Type 4 being the least preferred with the most impacts. Each Type has specific criteria, requirements, processes and guidelines. WCF user guidelines have been created to provide additional standards and expectations for each WCF Type.

## *Section 7.1.6 Type 1 WCF*

Type 1 WCF have antennas and equipment cabinets or ground equipment that are fully concealed. Type 1 WCF have an expedited review process and are subject to Zoning Administrator approval.

A. **Type 1 WCF are prohibited in the following areas:**

1. Property where the existing or planned primary use is residential.
2. Within one hundred and fifty (150) feet of a property where the existing use or planned primary use is residential.
3. School property (K-12).

4. Within the Community areas identified on the General Plan Land Use Map as Preserve, or land determined by the SRP-MIC as the result of an environmental survey to be culturally and/or environmentally sensitive.

B. **Type 1 WCF shall only include the following:**

1. The replacement of any existing WCF, if the replacement is smaller and/or more concealed than the original WCF, or there is no visible change from the original WCF.
2. WCF on/or within existing buildings or walls. Antennas shall be fully concealed within or behind existing buildings and walls and shall comply with the height and property development standards of the zoning district. All building material or wall replacements shall match the existing colors and materials.
3. On new, existing or replaced traffic signal poles, limited only to pre-approved pole designs with all equipment cabinets buried underground.

## *Section 7.1.7 Type 2 WCF*

All Type 2 WCF shall blend with the surroundings and are subject to the Zoning Administrator's approval.

A. **Type 2 WCF are prohibited in the following areas:**

1. Property where the existing or planned primary use is residential, except as provided in Section 7.1.7 B. 9 below.
2. Within one hundred and fifty (150) feet of a lot where the existing use or planned primary use is residential.
3. School property (K-12).
4. Within the Community areas that are identified on the General Plan Land Use Map as Preserve, or land determined by SRP-MIC as the result of an environmental survey to be culturally and/or environmentally sensitive.

B. **Type 2 WCF shall only include the following:**

1. WCF on or within existing buildings or walls shall be subject to the following criteria:
   a. Antennas shall be fully concealed or snug-mount.
   b. Existing building heights shall not increase by more than fifteen (15) percent.
   c. Existing roof appurtenances shall not be raised in height more than two (2) feet.
   d. New roof appurtenances shall be no more than ten (10) percent of the roof area, shall not exceed six hundred (600) square feet and shall not exceed six (6) feet in height.
   e. Antenna heights shall comply with the height and property development standards of the underlying zoning district.
2. WCF co-located on existing monopoles and towers shall be subject to the following criteria:
   a. Monopole or tower shall not increase in height by more than ten (10) feet, and shall not exceed eighty (80) feet (including antenna) in total height. Monopole diameter or tower footprint shall not increase more than forty (40) percent.
   b. Antennas shall be limited to snug-mount, canister-mount, and concealed antennas.
   c. Canister shall not exceed twenty-four (24) inches in diameter.
   d. All cables shall be located inside the monopole or tower.
3. WCF located on existing or replaced utility poles and towers shall be subject to the following criteria:
   a. WCF shall not be located on utility poles/towers planned for removal by the Community, or utility company.

b. Antennas located on twelve-kilovolt (l2-kV) utility line poles shall only be located along collector, arterial or higher classification streets.

c. Pole/tower size, diameter, and height shall be no larger/taller than would normally accommodate the necessary utility, as determined by the utility company, except that the pole height may increase a maximum of ten (10) feet.

d. Antennas shall be limited to snug-mount, canister-mount and concealed antennas.

e. Canister shall not increase the pole height by more than ten (10) feet, and shall not exceed eighty (80) feet in height.

f. Canister shall not exceed twenty-four (24) inches in diameter.

g. All cables shall be located inside the pole or encased (colors to match pole/tower and placed on least visible side).

4. WCF located on existing or replaced sports and field light poles shall be subject to the following criteria:

a. Replacement poles or pole reinforcement shall not exceed the diameter of the existing pole by more than forty (40) percent.

b. Antennas shall be limited to snug-mount, canister-mount, and concealed antennas.

c. Canister shall not increase the pole height by more than ten (10) feet, and shall not exceed eighty (80) feet in height (including the antenna).

d. Canister shall not exceed twenty-four (24) inches in diameter.

e. There shall be no more than three (3) separate WCF on each monopole.

f. All cables shall be located inside the pole or encased (colors to match pole and placed on least visible side).

5. WCF located on traffic signal poles shall be subject to the following criteria:

a. New traffic signal poles shall be warranted by the traffic volumes, as determined by the Community.

b. Traffic signal pole diameter shall not exceed fourteen and one-half (14 ½) inches or the Community's standard.

c. Antennas shall be limited to canister-mount antennas, shall be no more than eighteen (18) inches in diameter and shall not increase the traffic pole height by more than six (6) feet.

d. All cables shall be located inside the poles.

6. WCF located on freeway directional sign poles shall be subject to the following criteria:

a. Antennas shall be limited to snug-mount, canister-mount, and concealed antennas.

b. Canister shall not exceed twenty-four (24) inches in diameter and shall not increase the sign pole height by more than ten (10) feet.

c. All cables shall be located inside the sign pole.

d. Colors shall match approved corridor colors.

7. WCF monopoles (new or replacement) within a utility substation, not including monopoles with a flag, shall be subject to the following criteria:

a. Limited to existing utility substations.

b. Monopole and equipment cabinets shall be located in an existing substation enclosure that is fully screened by a solid wall (no WCF monopoles outside substation screened walls).

c. Monopole shall not exceed forty (40) feet in height, including antennas.

d. Monopole shall not exceed a diameter of eighteen (18) inches.

e. Antennas shall be limited to snug-mount, canister-mount or concealed antennas.

f. Canister shall not exceed twenty-four (24) inches in diameter.

g. Equipment cabinets shall not be visible from outside the wall.

8. WCF located on signs shall be subject to the following criteria:

a. Antennas shall be fully concealed within or behind sign, and shall not increase the existing or approved height of the sign.

b. All sign material replacements shall match the existing colors and materials.

c. All cables shall be located within the sign structure or fully concealed.

9. WCF located on or within billboard signs, including within residentially zoned or planned allotments, shall be subject to the following criteria:

a. Located within fifty (50) feet of McDowell Road, McKellips Road, Pima Road, and 90th Street, Pima Freeway, Loop 202 Red Mountain Freeway and State Route Highway 87.

b. Antennas shall be located within or behind sign, be concealed, and shall not exceed six (6) feet in height of the existing or approved height of the sign. Antenna concealment may include a canister, which shall not exceed eighteen (18) inches in diameter. All sign material replacements shall match the existing colors and materials.

c. All cables shall be located within the sign pole or fully concealed.

## *Section 7.1.8 Type 3 WCF*

All Type 3 WCF shall blend with the surrounding environment and require Development Review approval.

A. **Type 3 WCF are prohibited in the following areas:**

1. Property where the existing or planned primary use is residential.

2. Within the Community areas that are identified on the General Plan Land Use Map as Preserve land or land determined by the SRP-MIC as the result of an environmental survey to be culturally and/or environmentally sensitive.

B. **Type 3 WCF shall only include the following:**

1. WCF on or within buildings and walls shall be subject to the following criteria.

a. WCF shall be designed to match the structure on which it is mounted.

2. WCF co-located on existing monopoles and towers shall be subject to the following criteria:

a. Monopole or tower shall not increase in height by more than twelve (12) feet, and shall not exceed eighty (80) feet (including the antenna) in total height.

b. Monopole shall not increase the diameter of the existing monopole by more than sixty (60) percent.

c. On poles, antennas shall be limited to snug-mounted, canister mount and concealed antennas.

d. On towers, antennas shall not extend more than three (3) feet from the tower or extend past the maximum width of the tower.

e. All cables shall be located inside the monopole or tower or within an encasement colored to match the monopole and located on a side with the least visual impact.

3. WCF located on existing or replaced utility poles and towers shall be subject to the following criteria:

a. WCF shall not be located on utility poles/towers planned for removal by the Community or utility company.

b. Antennas located on twelve-kilovolt (l2-kV) utility line poles shall only be located along collector, arterial or higher classification streets.

c. Pole/tower size, diameter, and height shall be no larger/taller than would normally accommodate the necessary utility as determined by the utility company, except that the pole height may increase a maximum of ten (10) feet.

d. Canister shall not increase the pole height by more than twelve (12) feet, and shall not exceed eighty (80) feet in height (including antenna).

e. Canister shall not exceed twenty-four (24) inches in diameter.

f. On poles, antennas shall be limited to snug-mount, canister and concealed antennas.

g. On towers, antennas shall not extend more than three (3) feet from the tower or extend past the maximum width of the tower.

h. All cables shall be located inside the pole or tower or within an encasement colored to match the monopole and located on a side with the least visual impact.

4. WCF located on existing or replaced sports and field light poles shall be subject to the following criteria:

a. There shall be no more than three (3) separate WCF on each monopole or tower.

b. Replacement poles or pole reinforcement shall not exceed the diameter of the existing pole by more than sixty (60) percent.

c. Canister shall not increase the pole height by more than twelve (12) feet and shall not exceed eighty (80) feet in height (including the antenna).

d. Canister shall not exceed twenty-four (24) inches in diameter.

e. Antennas shall be limited to snug-mount, canister and concealed.

f. All cables shall be located inside the pole or within an encasement colored to match the pole and located on a side with the least visual impact.

5. WCF located on traffic signal poles shall be subject to the following criteria:

a. New traffic signal poles shall be warranted by the traffic volumes, as determined by the Community.

b. Traffic signal pole and WCF shall be no more than eighteen (18) inches in diameter and shall not exceed the standard signal pole by more than six (6) feet.

c. Antennas shall be limited to snug-mount, canister-mount and concealed antennas.

d. All cables shall be located inside the pole or within an encasement colored to match the pole and located on a side with the least visual impact.

6. WCF located on existing or replaced street light poles, parking lot poles, and street sign poles shall be subject to the following criteria:

a. Replacement poles or pole reinforcement shall not exceed the diameter of the existing pole by more than sixty (60) percent, not to exceed eighteen (18) inches in diameter or increase the height of the existing pole by more than six (6) feet.

b. Antennas shall be limited to snug-mount, canister-mount, and concealed antennas.

c. Canister shall not exceed eighteen (18) inches in diameter.

d. All cables shall be located inside the pole or within an encasement colored to match the pole and located on a side with the least visual impact.

7. WCF located on freeway directional sign poles shall be subject to the following criteria:

a. Antennas shall be limited to snug-mount, canister-mount, and concealed antennas.

b. Canister shall not exceed twenty-four (24) inches in diameter and shall not increase the sign pole height by more than ten (10) feet.

c. All cables shall be located inside the sign pole or encased in a sheath to match the pole.

8. Alternative concealment WCF shall be subject to the following criteria:

   a. WCF shall comply with the height requirements of the underlying zoning district.

9. New monopoles or towers located on sites with existing gravel mining, manufacturing, or other heavy industrial type uses and where other vertical building elements exist, as determined by the Zoning Administrator, shall be subject to the following criteria:

   a. WCF shall comply with the height requirements of the underlying zoning district.

   b. All cables shall be located inside the monopole or tower or within an encasement colored to match the monopole and located on a side with the least visual impact.

10. New monopoles.

   a. Antennas shall be fully concealed by a canister. Canister shall not exceed twenty-four (24) inches in diameter.

   b. Pole diameter shall not exceed eighteen (18) inches in diameter. Pole should not be used to fly flags.

   c. WCF shall comply with the height requirements of the underlying zoning district.

   d. All cables shall be located inside the monopole.

   e. Monopoles shall be placed to the rear of buildings, or otherwise placed to minimize visibility from adjacent streets.

   f. Monopoles and associated equipment shall not be located within street rights-of-ways.

   g. Monopole and canister shall match in color.

### *Section 7.1.9 Type 4 WCF*

Type 4 WCF are the least preferred and generally have the most impact on their surrounding environments. All Type 4 WCF shall require a Conditional Use Permit and are subject to the Community Council approval process in Article 2.5 of the Zoning Ordinance.

A. The WCF shall be classified as Type 4 if they do not meet the criteria to be classified as Type 1, Type 2, or Type 3 under this Article. In addition, the following WCF are Type 4 WCF:

   1. WCF concealed within flagpoles (monopole with a flag). Only U.S., State, SRP-MIC or corporate flags are to be displayed on such poles.

   2. WCF located on vacant property planned for residential as identified on the General Plan Land Use Map.

   3. WCF located on properties zoned for and used for residential and placed within a common area only. A common area is for use by all residents, is commonly used for retention or park land, and contains no homes.

   4. WCF within the Community areas that are identified on the General Plan Land Use Map as “Preserve” land; determined by the SRP-MIC government as the result of an environmental survey to be culturally and/or environmentally sensitive; or land zoned OS.

   5. The fourth or more separate WCF co-locations on utility poles and towers, and sports and field light poles.

B. WCF monopoles or towers (new or replacement) are subject to the following:

   1. Monopoles or towers on any school property (Preschool-12).

      a. Antenna heights shall not exceed eight (8) feet, not to exceed eighty (80) feet in total height including antennas.

   2. Monopoles or towers in the LI, MB, AP, NR, and C3 zoning districts.

      a. Height shall not exceed eight (80) feet including antennas.

C. Monopoles or towers in the AR, C1 and C2 zoning districts.

1. Height shall not exceed fifty (50) feet including antennas.

D. Additional setbacks for monopoles and towers.

1. Monopoles and towers shall have a setback from the nearest edge of an AR, OS or "Preserve" planned area of one (1) foot for every one (1) foot in height.
2. Monopoles or towers shall have a setback from property where existing use is residential a minimum of two (2) feet for every one (1) foot in height.

### *Section 7.1.10 WCF Submittal Requirements*

All WCF proposals need to be submitted as a Preliminary Application to the Community Development Department. This process will allow staff to verify which WCF Type is being proposed and further assist the applicant in their request.

A. All WCF Applicants proposing WCF (Types 1, 2, 3, or 4) shall submit the following:

1. A written report verifying that, at its maximum load, including cumulative effects of multiple facilities, the WCF meets or exceeds the FCC Radio Frequency Safety Standards. Submission of this report is required before communications operations can begin, before any extension periods are granted, and before the Community's acceptance of any improvements or upgrades to the WCF.
2. A map of the service area for the WCF.
3. A map that shows other existing or planned WCF that will be used by the WCF provider who is making the application. Describe the height, mounting style, and number of antennas on each WCF.
4. Photo documentation of existing conditions.
5. A photo simulation (except for Type 1).
6. A concealment and screening plan showing the WCF blending with the existing environment.
7. Written description of efforts to minimize the visual impact of the antennas and equipment cabinets.
8. A site line representation drawing.
9. Dimensioned site plan, elevations, landscaping and other plans that detail what the WCF will look like and how it will be constructed, as required by the Community Development Department.
10. Written description of conformance with applicable SRP-MIC Design Standards and Policies and use permit criteria.
11. New towers and monopoles require the following additional submittal items:
    a. A map that shows any WCF monopoles or towers within a one mile radius of the project that is existing or currently under construction.
    b. Written description of any efforts to co-locate the proposed WCF on another site or building. Include a map of the sites and provide engineering information or letters from owners of the site describing why co-location is not possible.
    c. A map that shows other potential standalone locations for the proposed WCF that were explored by applicant. Describe why the proposed location is superior to other potential locations. Factors to be considered in the Community's perspective shall include- costs, visual aspects, setbacks, and proximity to residences.
    d. Written description of efforts to blend the WCF with the surrounding area, including the process for arriving at the color and materials for the proposed monopole or tower.

e. Written description of the efforts to minimize the diameter of the monopole and the mass of the tower supporting the proposed WCF. Provide engineering and structural information related to these efforts.

f. Written description of all equipment that will be ancillary to the antennas, such as whip and dish antennas. Describe the function of this ancillary equipment and the need to locate it in this WCF.

12. Properties within the Community that are identified on the General Plan Land Use Map as preserve land or land determined by the SRP-MIC government as the result of an environmental survey to be culturally and/or environmentally sensitive require the following additional submittal items:

    a. Photo simulations taken from the closest streets and residences surrounding the proposed site.

    b. Color samples and their light reflective values, which shall not exceed thirty (30) percent LRV, and shall be subject to contextual review.

    c. Written analysis describing the most effective way to screen or blend the new WCF with the surrounding environment.

13. The Zoning Administrator may require additional information or may waive those submittal requirements determined unnecessary for appropriate review of the project.

### *Section 7.1.11 Continued Monitoring*

Every three (3) years, each wireless communications service provider shall submit to the Community a written report verifying that, at its maximum load, including cumulative effects of multiple facilities, each WCF was tested and certified to meet or exceed the Federal Communications Commission's Radio Frequency Safety Standards. The three (3) years shall be from the most recent approval of the respective WCF or from the effective date of this ordinance, whichever is earlier, and every three (3) years thereafter.

### *Section 7.1.12 Third Party Review*

A. The SRP-MIC Community Development Department staff may require a third party review of the technical data submitted by the provider and all costs and expenses for the third party review shall be paid for by the applicant. Selection of the third party expert may be by mutual agreement among the applicant and interested parties or at the sole discretion of the Community, with provision for the applicant and interested parties to comment on the proposed expert(s) and to review qualifications.

B. The expert review is intended to be a site specific review of technical aspects of the wireless communications service WCF and not a subjective review of the site selection. Such a review shall address the accuracy and completeness of the technical data, whether the analysis, techniques and methodologies are legitimate, the validity of the conclusions and any specific technical issues outlined by the Community, Council, and Community Development Department, staff or interested parties, and comply with all applicable laws, ordinances, and regulations of the Community and Federal government.

C. The expert review of technical submissions shall address the following:

    1. The accuracy and completeness of submissions.

    2. The applicability of analysis, techniques and methodologies.

    3. The validity of conclusions reached.

    4. Any specific technical issues designated by the Community or Zoning Administrator.

### *Section 7.1.13 Abandonment*

A. Any WCF that is not in use for twelve (12) months or more shall be completely removed by the wireless communications service provider or the responsible lessee under an approved lease with the Community.

B. **Removal.**

1. Removal shall occur within ninety (90) days after the end of the six-month period.
2. All equipment and foundations shall be completely removed.
3. Upon removal, the site shall be re-vegetated to blend with the surrounding vegetation.
4. The cost of removal and revalidation shall be borne by the service provider or lessee.
5. A review of the re-vegetation plan and completed restoration may be required by the SRP-MIC Community Development Department based upon the location or other special circumstances as determined by the Zoning Administrator.

# *Chapter 8* Definitions and Measurements

## *Article 8.1 Purpose*

This Chapter provides definitions of terms and phrases used in this Zoning Ordinance that are technical, specialized, or that may not reflect common usage.

## *Article 8.2 Interpretation and Rules of Construction*

### *Section 8.2.1 General Terminology*

A. Whenever a provision requires the CDD Director, Zoning Administrator or other Community Officer or employee to act or perform a duty, the provision authorizes the delegation and authorization of a professional-level subordinate(s) to perform the required act or duty, unless the provision specifies otherwise. The services of an attorney or other professional with experience in land use matters and/or expertise in the related subject may be obtained in addition to or in lieu of delegation.

B. Figures illustrate concepts, standards or regulations described in the text. If any discrepancy exists between a figure and the text of this ordinance, the text controls.

C. Graphics not called out as figures in the text of this ordinance and information placed within boxes as sidebars are provided to clarify by example, summarize or convey the intent of the regulations or standards. They are not regulations or standards.

D. When not inconsistent with the context, words used in the present tense include the future, words in the singular include the plural, and those in the plural include the singular.

E. The general terms or acronyms listed below shall have the meanings or interpretations as stated below:

1. **"And"** indicates that all connected words or provisions apply. **"Either/or"** indicates that the connected words or provisions apply singly but not in combination.
2. **"Including," includes "such as," "additional"** or **"supplemental"** are illustrative and are not intended as an exhaustive listing. "LMB" or the "Land Management Board" means the Land Management Board of Salt River Pima-Maricopa Indian Community.
3. **"Or"** or **"and/or"** indicates that the connected words or provisions apply singly or in any combination.
4. **"Shall," "will"** or **"must"** is mandatory; "may" is permissive; "should" is strongly suggestive but not mandatory.
5. **"Used"** includes and is interchangeable with the words "arranged for, designed for, occupied or intended to be occupied for."

### *Section 8.2.2 Conflicting Provisions*

When there is a discrepancy between different provisions of this ordinance, the more specific provision applies unless the Zoning Administrator finds that the more general provision more accurately reflects the intent and purpose of this ordinance.

*Generally the regulations of this ordinance take precedence in the order listed in below:*
*1-The standards or regulations of any applicable overlay district.*
*2-The specific use standards or conditional use standards provided in Chapters 4 and 7.*
*3-The standards and regulations of the applicable zoning district.*
*4-The general zoning district standards and regulations.*
*5-The general development standards provided in Chapter 6.*

# Article 8.3 Measurement and Calculations

This Section describes a standard way dimensional requirements within this ordinance are measured or calculated.

## Section 8.3.1 Calculations

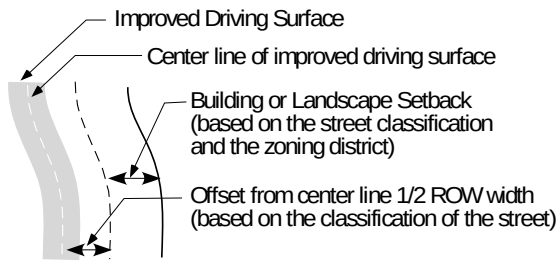
All calculations are rounded up or down to the nearest whole number.

## Section 8.3.2 Measurement

A. **Setbacks.** Building setbacks extend from the ground to the sky and are measured horizontally and perpendicular to the referenced line as follows:

1. Setbacks from streets are measured from right-of-way lines, including abutting turn lane and/or sidewalk easements,

**Measuring setbacks where no right of way exists**




2. Where no street right-of-way exists, setbacks shall be measured from a line parallel to the center of the improved driving surface offset half the right-of-way width, or as determined by the Zoning Administrator. Right-of-way width is based on the classification of the street.
3. Side or rear setbacks are measured from property lines, allotment or partition lines, property lines, master or sublease lease lines, or the edge of site boundaries.

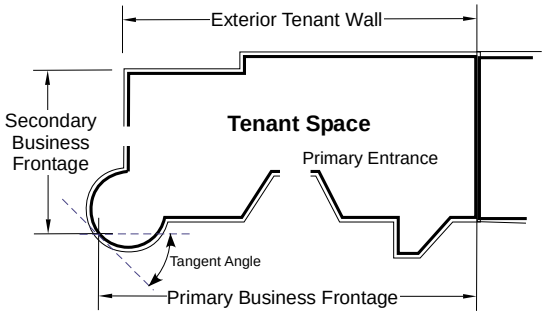
B. **Height, building or structure.** The height of a building or structure is measured vertically between the highest point of the building or structure, (including the highest point of the coping, the parapet, mansard roof, roof dome, and gable) and the natural grade. The natural grade is:

1. The top of the nearest arterial, collector or local street curb or edge of pavement within one hundred (100) feet of the building, (Freeways or elevated roadways are not used to measure building height), or
2. The average elevation of the lowest and highest point of the ground within twenty-five (25) feet of the building or structure foundation if the building or structure is more than one hundred (100) feet from an arterial, collector, or local street curb or edge of pavement.
   a. Man-made elevated areas such as mounding, raised planters, crawl space, under-building parking, or portions of a basement that are above ground are included in the measurement of height.
   b. Man-made depressions such as detention basins are not included in the measurement of height.
3. Exceptions from height limits are measured in the same manner, using the same natural grade elevation as that used to determine the height of the building or structure.

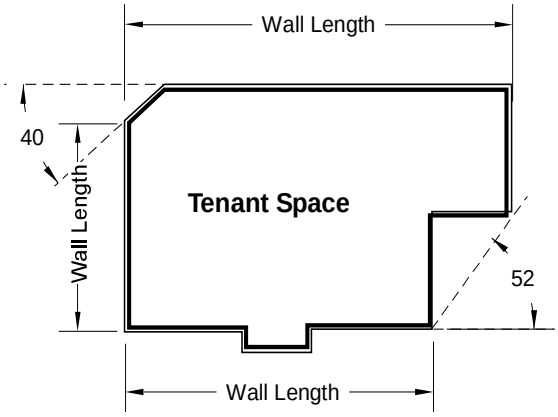
C. **Business Frontage or Exterior Wall Length.**

1. The length of business frontage or exterior wall is measured individually for each tenant or building elevation in a straight line approximately parallel to the exterior wall of the tenant space (the building line).
2. Upper stories are not included as part of any business frontage. The length of the wall of the ground floor is the basis for determining the length of business frontage

Length of Business Frontage or Exterior Tenant Walls.



3. For buildings with more than one tenant the length is measured from the centerline of the interior party wall defining the tenant space, where the wall intersects with the exterior wall.




4. At the end of a building the projected length of an angled wall is added to the length of the wall with which it forms the smaller angle. If the angle is forty five (45) degrees, half the projected length is added to the length of each wall. If the wall is curved, the projected length of the curved portion of the wall up to the forty five (45) degree tangent is added to each abutting wall respectively.

5. Wall length excludes any wall determined by the Zoning Administrator as unrelated to the tenant frontage. For example, exterior tenant walls that are set back from the tenant's front building line and do not extend into the plane of a fifty-five (55) degree angle from the building line.

D. Ambient noise level shall be measured on sound level meter using an A-weighted scale and shall include the all-encompassing noise associated with a given environment, being usually a composite of sounds from many sources, near and far averaged over a period of fifteen (15) minutes without inclusion of noise from isolated identifiable sources. For purposes of comparison, ambient noise is determined within the particular zoning district near the location where a comparison will be made during a similar time of day. Measurements are made as follows:

1. Readings of a sound level meter are observed for five (5) seconds and the best estimate of the central tendency of the indicator needle, and the highest and lowest indications are recorded.

2. The observation are repeated as many times as necessary to ensure that observations are made at the beginning and the end of a fifteen (15) minute averaging period and that there are at least as many observations as there are decibels between the highest high indication and the lowest low indication.

3. The reading is the arithmetical average of the observed central tendency indications converted to decibels, per instructions of the manufacturer of the sound level meter.

4. Measurement of suspect noise sources. Measurement of suspect noise sources are an average of at least three (3) instantaneous readings using an A-weighted scale.

   a. If the subject source of noise is from a use located on a site with other uses, the measurement is made immediately outside the site of the subject use.

   b. If the use is the only use on the site, the measurement is made at the property or lease boundary of the use.

## *Article 8.4 Specific Definitions*

As used in this Zoning Ordinance, the terms and phrases shall have the meaning ascribed to them in this Article unless the context in which they are used clearly requires otherwise.

Words used in this Zoning Ordinance that are not defined are interpreted in accordance with normal dictionary meanings or customary usage at the time of adoption as is appropriate to the context or as specifically determined by the Zoning Administrator.

# A

**ABUTTING:** Properties that have a common boundary line or buildings that share at least one wall.

**ACCESS:** A means of vehicular or non-vehicular approach or entry on to or exit from a property, street, or highway.

**ACCESSORY BUILDINGS OR STRUCTURES:** Buildings or structures on the same site or property as the related principal building that:

1. Support uses that do not operate independently of the principal use and are subordinate in building area, intensity of use, or purpose to the related principal building or primary use(s) served.
2. Are compatible with and do not adversely affect the other principal uses permitted under zoning regulations applicable to the property or adjacent uses.
3. May contribute to the comfort or convenience of the occupants of the related principal building or use served.
4. May be attached or detached from the structure continuing the primary use.

**ACCESSORY DWELLING UNIT:** A subordinate living unit added to, created within, or detached from a single-family dwelling on the same site and that provides basic requirements for independent living, sleeping, eating, cooking and sanitation.

**ACCESSORY USE:** A use or activity on the same site as the principal use that is subordinate and incidental to the main activity and supports and is dependent on the principal use rather than operating independently.

**ACRE, GROSS:** Ground area, including all land and proposed and existing streets within a development or subdivision.

**ACRE, NET:** The remaining ground area after deleting all portions for proposed and existing streets within a development or subdivision.

**ADJACENT:** Nearby but not necessarily touching or abutting. Includes parcels separated by a dedicated street or utility right-of-way.

**AISLE or DRIVE AISLE:** The traveled way by which cars and other vehicles enter and depart parking spaces, but not including drives, streets or alleys.

**ALLOTMENT OR/ ALLOTTED LAND:** A parcel of land allotted to individual ownership of a natural person or family held in beneficial trust by the United States under the General Allotment Act of February 8, 1887 (24 Stat. 388), as amended or superseded.

**ALTERATION:** Any change to a site or to the exterior character of any development improvements, including changes to building size, shape, façade, color, finishes or surface materials, site grading, parking and loading areas, paved and graveled areas, outdoor areas such as storage, activity areas or open areas such as plazas, walkways, landscaping of the site, and the development of new improvements or removal of existing improvements. Alteration also means an increase in the intensity of a use. Alteration does not include normal maintenance and repair.

**ALTERNATIVE DRIVING SURFACE:** Alternatives to traditional paving techniques such as concrete paving stones, fired brick, colored and/or stamped paving, stabilized road base, and decomposed granite.

**AMBULANCE SERVICES (PRIVATE/COMMERCIAL):** A service that provides rapid response to a call for emergency medical care provided by trained technicians and transport to a hospital. Includes storage of emergency vehicles and related equipment, office or dispatch area and may include short term overnight sleeping and shared living quarters for staff.

**AMPHITHEATER:** An open-air venue used for entertainment with a stage in the center and audience area typically of tiered grass, bench or informal non-fixed seating arranged rising in a circular or semicircular tiers around the stage and, depending upon the scale, may be intended for amateur or casual performances or as an accessory to another use or as a performance destination. May or may not be enclosed by a wall or fence, but is open to the sky.

**ANALOGOUS USE:** A use having similar purpose(s) and characteristics of another use in terms of impacts, intensity, hours of operation, traffic generation and types of clientele or customers.

**ANIMAL CREMATORY:** A furnace for reducing corpses of animals to ashes through incineration. Also an establishment containing such a furnace, which may include a meeting room for funeral ceremonies.

**ANIMAL HOSPITAL:** A full service animal care facility where animals (including large animals) and/or pets are given acute medical or surgical treatment for diseases or injury and which may include accessory overnight boarding and care, grooming, and other animal care services, but does not include animal crematory facilities.

**ANIMAL HUSBANDRY:** The branch of agriculture concerned with the care and breeding of domestic animals such as cattle, hogs, sheep and horses and includes fenced pastures and/or enclosures or structures for those purposes. Animal husbandry does not include open grazing, confinement of wild animals, research, slaughtering, other than for family or personal use, or concentrated confined animal feeding / production operations.

**ANIMAL SHELTER/POUND:** A facility that accepts and/or seizes domestic animals for the purpose of caring for them, placing them through adoption, or carrying out law enforcement. Typically, providing shelter in a safe and caring environment for lost, homeless or abandoned animals on a temporary basis until the animal is either reclaimed by its owner, placed in a new home or with another organization for care or adoption, or is humanely euthanized.

**ANIMAL SANCTUARY:** A facility where animals are brought to live and be protected for the rest of their lives. Sanctuaries do not seek to place animals with individuals or groups, instead maintaining each animal until natural death. The mission of sanctuaries is generally to be safe havens, where the animals receive complete care for their health and welfare and are given the opportunity to behave as naturally as possible in a protective environment. Animals are not bought, sold, or traded, nor are they used for testing.

**ANTENNA:** A device for sending and receiving radio waves; a metallic piece of equipment of variable shape, used in the sending and receiving of television or radio signals

**APIARIES AND HONEY EXTRACTION:** A place where bees are kept in a collection of hives or colonies for production of their honey. May include extraction and processing of honey. Excludes incidental use of bees for pollination as part of an agricultural use.

**APPLICANT:** Any person who files an application on a form prescribed by the CDD and who meets the qualifications to file an application per this Zoning Ordinance. The applicant, or a designated representative, is the point of contact for all information related to an application.

**APPLICATION:** A request for review, information, permit and/or approval submitted on a form provided by the appropriate SRP-MIC governmental department.

**APPLICATION, COMPLETE:** An application submitted in the format specified on an application form, together with the requires submittal documents and plans which meet SRP-MIC legal requirements, approval signatures and proof of payment of required fees

**ARCHAEOLOGICAL RESOURCE:** A type of cultural resource that includes any material remains or physical evidence of past human life or activities that are of archaeological interest, including the record or evidence of the effects of human activities on the environment.

**ARCHITECTURAL CHARACTER:** The general aspects of a building, such as 1) Setting, including treatment of base areas, detailing around building entrances, and how the transition between indoor and outdoor areas occurs; 2) Shape and proportions of the building, such as rectangular or curved surfaces, articulation of walls, roof styles and features, such as stepping of roof levels or varying of parapet height, coping details, extent of overhang, slope, and fascia treatment; 3) Projections on the building, such as porches, awnings, cornices, buttress or attached columns, and bay windows. 4) Openings, including the shape, proportions, depth and rhythm of voids such as windows, doorways, open galleries, arcades, and recessed balconies; 5) Materials that vary the surface qualities of exterior materials, their color and texture, evidence or level of craftsmanship, patterns within and between materials, and juxtaposition of materials or degree of contrasting colors and textures, 6) Pattern and details, including use of shade or shadow patterns, visual strength of dominant features, their location, spacing, rhythm, the verticality or horizontality of elements, and type and style of fixtures or accent features.

**ARCHITECTURAL LIGHTING:** Exterior lighting that is used primarily or entirely to draw attention by illumination of buildings, facades, structures, or architectural features by directing light onto those areas or by internal illumination through translucent exterior surfaces, use of illuminated architectural features other than windows, or by interior illumination used specifically to modify the exterior

appearance of a building and that is visible from a street or adjacent property. Indirect lighting of a building or structure surface that results from lighting serving other purposes is not considered architectural lighting.

**ARTISAN HANDCRAFT INDUSTRY:** Small scale production of goods mostly or partly hand-made, individually unique, and distinctive. Products are made using hand tools or small scale equipment and not entirely mass produced. Examples include tailor or clothing designer / seamstress, artist, making of individual pottery, jewelry, or baskets by hand, and hand silk-screening.

**ASSISTED LIVING FACILITY:** A residential care institution (including adult foster care) that provides supervisory care services, personal care services or directed care services on a continuing basis. May include portions for housing persons who live independently, but for whom non-medical assistance to meet daily needs may be available on site. The type of housing units may vary but typically have at least one bed, a private bathroom, and a door on the unit entrance. Often includes common areas for socializing, group activities, recreation facilities, group dining and staff offices.

**AUCTION (AGRICULTURAL PRODUCTS, EQUIPMENT):** A building or site where items are regularly sold to buyers through bidding or other means of establishing market price. Does not include one-time or infrequent short term occurrences.

**AUTO/LIGHT VEHICLE:** Passenger automobiles, all-terrain vehicles, motorcycles, light-duty trucks one (1) ton capacity or less, recreational vehicles and boats.

**AUTO/LIGHT VEHICLE SALES AND LEASING, (INDOOR):** The leasing or sale of new or used automobiles/ light vehicles and may include indoor vehicle display, storage, rental and maintenance. All activities including primary and accessory uses are conducted inside completely enclosed buildings.

**AUTO/LIGHT VEHICLE SALES AND LEASING, (OUTDOOR):** The leasing or sale of new or used automobiles/light vehicles and including vehicle display, storage, rental and maintenance. The display and storage of vehicles for sale or rent may be conducted inside or outside of a building.

**AUTO/LIGHT VEHICLE MAINTENANCE SHOP:** A business providing routine maintenance, minor repair and replacement of parts, such as mufflers, brakes, oil, filters, tires, and vehicle washing/cleaning services. A maintenance shop does not include major automotive repairs, painting, body and fender work, sales or rental of vehicles.

**AUTO/LIGHT VEHICLE RENTAL PICKUP:** The renting of automobiles/light vehicles that involves a reservation office where rented vehicles are delivered for pick up by customers, but does not include long-term storage of vehicles, or a maintenance shop on the site.

**AUTO/LIGHT VEHICLE RENTAL:** A business that rents out automobiles/ light vehicles, small trailers and trucks to the general public on a daily or short term basis and may include overnight storage of vehicles outdoors, cleaning and detailing of vehicles, and/or a shop for routine maintenance of the vehicles that are rented on the site.

**AUTO/LIGHT VEHICLE REPAIR SHOP:** A business performing repairs on light trucks and automobiles, including engine rebuilding, transmission shops, body and upholstery repair, body painting, and tire retreading and repair within a garage. Accessory uses include on-site temporary storage of vehicles scheduled for repair.

**AUTO SERVICE STATION:** A business engaged primarily in the retail sale of motor fuels (including alternative fuels such as natural gas, hydrogen, or battery recharging system). Accessory uses may include a convenience store. An auto/light vehicle maintenance and repair shop are not included in this definition.

**AUTOMATIC TELLER MACHINE (ATM)**: An automated device that provides 24-hour banking services. See DRIVE-THROUGH SALES OR SERVICE

# B

**BAR OR TAVERN:** A business establishment where spirituous liquors are sold in individual portions for consumption on the premises and do not meet the requirements for a license as provided in Chapter 14 of the SRP-MIC Code of Ordinances.

**BASEMENT:** A space having more than one-half (1/2) of its height, measuring from its floor to its ceiling below the average adjoining grade; if the finished floor level directly above a basement is more than six (6) feet above grade at any point, the basement is considered a building story.

**BUILDING, PRINCIPAL:** A building that is arranged or configured to be occupied by a principal use and to be operated independently of other uses. The use may support other principal uses on the site and there may be one or more principal buildings on a development site. Typical principal uses are listed in Chapter 4 of this ordinance.

**BUILDING BASE AREA:** The area abutting the ground floor of a building and improved to the minimum depth required with landscaping and hardscape in support of the use(s) within the building.

**BUILDING FOOTPRINT:** The total areas of the largest floor under roof, measured from the exterior faces of the exterior walls, and not including the sum of the several floors of a multi-story building. The floor area of a building, or portion thereof, not provided with surrounding exterior walls shall be the usable area under the horizontal projection of the roof or floor above.

**BUILDING HEIGHT:** The vertical distance between the highest point of the building or structure, such as the highest point of the coping or parapet, mansard, pitched, hip roof or gable and the natural grade.

**BUILDING OFFICIAL:** The Director of the Engineering and Construction Services Department or authorized designee.

**BUILDING PERMIT:** The permit required and issued by the Community allowing new construction or remodeling, electrical and plumbing installations, site improvements, site grading, tenant improvements, etc. pursuant to the SRP-MIC codes and ordinances.

**BUILDING SETBACK:** The minimum horizontal distance between a building or structure and a specified boundary, such as a property line or partition, development boundary or lease line, right-of-way or street easement, including easements for turn lanes and abutting sidewalks and future rights of way or easements, or from a specifically stated feature such as curb line or edge of pavement.

**BUILDING SITE:** The area of a building together with associated parking areas and open space, detention areas, landscape areas required by this ordinance.

**BUILDING:** Any structure used or intended for the purpose of supporting or sheltering any use or occupancy. This includes tents, porches, awnings, carports, shade structure, or vehicles situated on public or private property and used for purposes of a building.

**BUILDING AND RELATED TRADES:** Woodworking, electrical, sign shops, plumbing, paint shops, heating, air conditioning and ventilation, furniture upholstering and similar enterprises with all work conducted inside a building.

**BULK OUTDOOR STORAGE AND/OR DISTRIBUTION OF NON-VOLATILE, NON-HAZARDOUS MATERIALS:** Storage of goods or materials in containers, on pallets, within enclosed areas or otherwise outdoors on a site.

**BUSINESS DAYS:** Days of the week Monday through Friday, ending at 5:00 PM local time, and excluding weekends and holidays recognized by the SRP-MIC.

**BUSINESS:** Any individual or for-profit corporation or partnership engaged in an activity designed to produce income, profit or compensation.

**BUSINESS, PROFESSIONAL AND CORPORATE HEADQUARTER OFFICES:** See OFFICES, BUSINESS AND PROFESSIONAL, or OFFICES, CORPORATE OFFICE HEADQUARTERS

**BUSINESS SERVICES:** Establishments providing document delivery, mail services and boxes, package services, blueprinting, typesetting, copying, notary, desktop publishing and photographic services.

# C

**CALENDAR DAY:** Consecutive days including weekdays, weekend days and all holidays and ending at 5:00 PM local time.

**CALL CENTER:** See INTENSIVE OFFICE USE, CALL CENTERS

**CARPORT:** A permanent roofed structure with not more than two (2) enclosed sides used or intended to be used for automobile shelter and storage.

**CDD:** See COMMUNITY DEVELOPMENT DEPARTMENT

**CDD DIRECTOR:** See COMMUNITY DEVELOPMENT DEPARTMENT DIRECTOR.

**CEMETERY, COLUMBARIUM, MAUSOLEUM:** A designated area where bodies of deceased individuals are buried and may include columbarium and mausoleum.

**CENTERLINE:** A line connecting the center points measured between the outer boundary lines of a street, road right-of-way or easement as established by official survey.

**CERTIFICATE OF OCCUPANCY:** An official authorization to occupy or use a structure as issued by the Building Official of the Community.

**CINEMA:** An indoor facility that is open to the public, which is primarily used or designed for the purpose of showing or viewing of a motion picture on a screen.

**CLEARSTORY:** A portion of a roof rising above adjacent roof surfaces and having windows admitting daylight to the interior areas of a building. May also be used for passive heating and, if operable, for passive cooling.

**CLUB or LODGE, SOCIAL CLUB, CHARITABLE ORGANIZATIONS:** A building providing facilities for an association of persons (whether or not incorporated), religious or otherwise, who meet for a common purpose, but not including groups that are organized primarily to render a service as a business for profit.

**CODE ENFORCEMENT OFFICER:** A person or persons designated by the CDD Director as authorized to enforce this Zoning Ordinance and including designees of that designated person(s).

**COLLEGE OR UNIVERSITY:** A post-secondary institution of higher learning that grants associate and/or bachelor's degrees, and may have research facilities and/or professional schools that grant master and/or doctoral degrees. This classification includes community colleges that grant associate degrees, and/or certificates of completion in business or technical fields or that offer credits for course completion that are transferable to a four-year college or university. College or university includes accessory uses primarily serving the student population such as cafeterias, auditoriums, performing arts theaters, sports fields. These uses may also be open to the general public.

**COMMERCIAL DEVELOPMENT OR COMMERCIAL USE:** Any use of land that includes the construction or installation of buildings or other structures to be used in any business enterprise or activity to engage in business or commerce on the land. Examples of commercial uses are listed in the Land Use Table (Table 4.1) in this ordinance.

**COMMERCIAL / HEAVY VEHICLE AND EQUIPMENT SALES, LEASING OR RENTAL:** The leasing or sale of new or used commercial vehicles and heavy equipment. Accessory uses may include outdoor display, storage, rental and/or routine maintenance.

**COMMERCIAL / HEAVY VEHICLE AND HEAVY EQUIPMENT:** Commercial-rated and licensed vehicles and heavy equipment such as trucks over one ton capacity, semi-truck and trailers, and construction equipment such as forklift, skid steer, tractor, backhoe, cranes, etc.

**COMMERCIAL:** All business activities, including, but not limited to, the provision of services or the purchase, sale or other transaction involving the handling or disposition of any article, substance, service or commodity for business purposes, but excluding industrial uses. Term collectively defines office, retail, entertainment and lodging functions.

**COMMERCIAL OR PUBLIC PARKING LOT PRIMARILY SERVING NEEDS OF OFFSITE USES WITHIN THE SRP-MIC:** See PARKING LOT, PUBLIC or PARKING LOT, COMMERCIAL

**COMMERCIAL STABLES:** A facility for the boarding of domestic animals other than those of the land owner for compensation, and which may include barns, accessory structures, corrals, and grazing pastures.

**COMMERCIAL TRANSMITTING/RECEIVING FACILITIES:** Large scale towers, antennas, satellite or microwave dishes and similar used by commercial media providers for transmission or reception of media between primary sources typically for redistribution through local network systems such as phone, cable or wireless networks.

**COMMUNITY:** The land within the Salt River Pima-Maricopa Indian Community (SRP-MIC), or the Community members as a distinct group of people, or the community government.

**COMMUNITY COUNCIL:** The elected members of the Salt River Pima-Maricopa Community Council acting as a body.

**COMMUNITY CENTER:** A building that provides shared social gathering and meeting space and indoor or outdoor recreational facilities at a scale adequate to serve the Community at large.

**COMMUNITY DEVELOPMENT DEPARTMENT (CDD):** A Department of the Salt River Pima Maricopa Indian Community tribal government consisting of several divisions.

**COMMUNITY DEVELOPMENT DEPARTMENT DIRECTOR:** The Director of the Community Development Department of the SRP-MIC government or authorized designee.

**COMMUNITY GARDEN:** A garden area and related accessory structures and facilities for shared use by Community members for the purpose of growing crops for the benefit of the Community.

**COMMUNITY MEMBER:** means a natural person who is an enrolled member of the Salt River Pima Maricopa Indian Community.

**COMMUNITY PUBLIC OR PRIVATE SCHOOL:** Facilities provided by or through the SRP-MIC government for primary or secondary education, primarily serving the SRP-MIC, having curricula of general academic education consistent with or exceeding the academic requirements of the State of Arizona, including kindergarten, elementary, junior high school, and high school, including accessory facilities traditionally associated with schools, such as athletic fields, cafeteria, auditorium, library, administrative offices, and gymnasiums.

**COMMUNITY SUPPORT HOUSING:** A housing unit or housing units provided by or on behalf of the SRP-MIC government for its Community members and families. This may include, but is not limited to short or long term housing, emergency and transitional housing, senior housing (independent senior living facility), youth housing and protective services. It also may also include a support staff component and programs. Housing may be single or multi-units, may be a variety of housing types and may be clustered or scattered within the Community. These services may or may not include compensation for housing occupancy.

**COMMUNITY/YOUTH ACTIVITY CENTER:** A building that provides shared social gathering and meeting space and indoor or outdoor recreational facilities at a scale adequate to serve the Community at large.

**COMPOSTING, COMMERCIAL:** Managing a mixture that consists largely of decaying plant material and products made from plant material, air and water for the purpose of selling a completed compost product (retail or wholesale) typically for use as fertilizer, mulch or soil conditioner. May include receiving materials from offsite and packaging and/or loading of compost for transport offsite.

**CONDITIONAL USE:** A use, which requires additional Community review, and Community Council approval with possible conditional provisions, prior to being allowed in a particular location in the zoning district.

**CONDITIONAL USE PERMIT:** Permission granted by the Community Council after a public hearing to allow a particular use identified in Chapter 4 as requiring a Conditional use Permit to be conducted at a specific location which permission may include specific terms and conditions of the use.

**CONSERVATION:** The protection of the land, flora, fauna, habitat, man-made or natural features or structures, cultural heritage and/or other resources, from adverse effects of urban or other uses or activities.

**CONSERVATION AREA:** A statutorily-protected tract of land or overlay district that may contain and whose purpose is to protect and preserve man-made or natural features, structures, or areas with cultural heritage, flora, fauna or habitat important to the SRP-MIC. May include monitoring or interpretive facilities.

**CONTRACTOR'S YARD:** A facility for the outdoor storage of materials, equipment, and commercial vehicles used in construction, building maintenance, and similar activities, and maintenance of contractor's supplies and equipment including incidental office space.

**CONVENIENCE STORES WITHOUT AUTO FUEL SALES:** A small store or shop that sells a range of everyday items such as groceries, toiletries, soft drinks, and may also offer ancillary services such as ATM, postal or delivery services, a small amount of prepared food such as sandwiches and as a convenient supplement to meeting daily needs rather than being the main source.

**COUNCIL OR COMMUNITY COUNCIL OR SRP-MIC COUNCIL:** Means the elected governing body of the SRP-MIC government.

**COURTYARD:** An open area, unobstructed from the ground to the sky that is bounded on at least three sides by the exterior walls of one or more buildings.

**CREMATORIUM:** A facility that houses a furnace for reducing corpses to ashes through incineration. May include a meeting room for funeral ceremonies but does not include a cemetery or columbarium.

# D

**DAY or DAYS:** Calendar day or sequential calendar days unless specifically defined as business day in the related text.

**DAY, BUSINESS:** Monday through Friday and not including weekends or official holidays of the SRP-MIC.

**DAYCARE CENTER, ADULT:** A facility or part of a facility providing the care, supervision and guidance of adults on a regular basis for periods of less than twenty-four (24) hours per day with no overnight stays, in a place other than the adult's own residence.

**DAYCARE CENTER, CHILDREN:** Any facility or part of a facility providing the care, supervision and guidance of more than five children, unaccompanied by parent, guardian, custodian, or relative on a regular basis for periods of less than twenty-four (24) hours per day with no overnight stays, in a place other than the children's own residence. This definition includes nursery schools and preschools.

**DAYCARE-HOME BASED (CHILDREN OR ADULT):** The use of a home by the resident as a daycare center.

**DAIRYING:** A class of agricultural, or an animal husbandry, enterprise for long-term production of milk for retail or wholesale, usually from dairy cows but also from other animals such as goats, sheep and camels, which may be either processed on site or transported off site for processing.

**DATA CENTER:** A facility whose primary use is to house computer systems and associated components, such as telecommunications and/or storage systems for processing, transferring and/or storing information. The use generally includes redundant power supplies, climate control, data communications, connections and security systems. Data and computer services centers may contain data technology centers, internet service organizations, web hosting organizations, network operations centers, and other similar establishments primarily engaged in providing direct access from offsite through communications networks to computer-held information. Large data centers are industrial scale operations using significant electricity resources, and may be a source of air pollution. This definition does not include a relatively small data center that is accessory and subordinate to another primary use.

**DEED RESTRICTION:** A restriction on the deed or lease that places limitations on the use of the property. Examples include: restrictive covenants, driveways, private roads, landscape areas, utility corridors, fire lanes. Deed restrictions are not recognized by 25 CFR 169 or the Act of February 5$^{th}$ 1948 and should not be confused with "Easements" or "Rights-of-way".

**DENSITY, RESIDENTIAL:** The number of dwelling units per gross acre of land in a defined area.

**DESIGN STANDARDS AND POLICIES:** Design standards and policies developed in the design of development projects within the SRP-MIC.

**DEVELOPMENT:** Means the installation, construction, repair, replacement or modification of any improvements including any grading or activity for which a building permit, construction permit, grading permit, tenant improvement permit, certificate of occupancy or other Community approval is required. Intensification of an existing use is also included as development.

**DEVELOPMENT PLAN:** A plan prepared to scale, showing all buildings, site improvements (for example, buildings, parking, landscapes, walls, signs, lighting, access and circulation drainage facilities, and utilities) and uses proposed for a specific property within designated boundaries and supported by technical construction documents as necessary to carry out the implementation and enforcement of the development plan.

**DEVELOPMENT REVIEW COMMITTEE:** Committee of the SRP-MIC government established to review the development review applications and designs aspects of proposed development projects.

**DEVELOPMENT SITE:** Any parcel of land, or combination of contiguous parcels of land, whether under leasehold, single or multiple ownership, or part thereof, that constitutes a site, typically as designated by a plan, on which development is proposed, is under construction or exists and encompassing all elements of the development.

**DEVIATION FROM DEVELOPMENT STANDARDS:** Community approved relief from the development standards of Chapter 6 of this Zoning Ordinance that permits construction of specified improvements in a manner that meets the intent of this Zoning Ordinance.

**DISPOSAL OR DISPOSE:** The discharge, abandonment, deposit, injection, dumping, littering, spilling, leaking, or placing of any solid waste or hazardous waste into or on any land or water so that such solid waste or hazardous waste or any constituent thereof may enter the environment then or in the future, including without limitation impacting land, both surface and subsurface, emitting into the air, or discharged into any waters, including surface waters or ground water.

**DISTRIBUTION CENTER/DELIVERY STATIONS/URBAN DISTRIBUTION:** Direct-to-consumer orders where products are stored for short periods of time for delivery to an end consumer and/or last mile customer. Distinguished from a Fulfillment Center and Warehouse by intensity of traffic with deliveries typically by medium-duty trucks and vans rather than heavy-duty trucks.

**DORMITORY:** A building in association with an educational institution, with multiple rooms designed, intended or occupied as sleeping quarters by two (2) or more persons and may include common eating and bathroom areas.

**DRIVE AISLE:** A vehicular thruway that provides direct access to parking spaces and/or to service areas of buildings and connecting these to driveways within a development site and serving low volumes of traffic at very low speeds.

**DRIVE-THROUGH SALES OR SERVICE:** A facility with a window, automatic teller machine, kiosk, cashier or other mobile feature of a business, building or site for providing products or services from within a building or structure to persons within a vehicle.

**DRIVEWAY:** A vehicular thruway that provides authorized access to a street from a property and may or may not include public easements.

**DRC:** See DEVELOPMENT REVIEW COMMITTEE.

**DRUG AND ALCOHOL REHABILITATION FACILITY:** See REHABILITATION CENTER, BEHAVIORAL.

**DRY CLEANING DROP OFF/PICKUP STATION:** A retail commercial establishment that acts as a collection point for the drop-off and pick-up of garments or other fabrics that are sent to a dry cleaning facility for processing.

**DWELLING:** A building used, intended or designed to be used rented, leased, let or hired out to be occupied as a home or place of residence.

**DWELLING UNIT:** A building or portion thereof, consisting of one or more rooms providing complete, independent living facilities for one or more persons for use of a single household as a separate living quarter, including permanent provisions for living, sleeping, eating, cooking and sanitation but not including hotels, motels, boarding houses, lodging facilities, or assisted living facilities.

**DWELLING, DUPLEX:** A building designed with two (2) dwelling units.

**DWELLING, MULTIFAMILY:** A building designed with more than two (2) dwelling units.

**DWELLING, SINGLE FAMILY:** An individual detached building designed and used as a dwelling for the occupancy of one household.

# E

**EASEMENT:** A right by an express written agreement of an owner of land granting another lawful and beneficial use, for specific and limited purposes, of a described area of the land (surface and/or subsurface). Ownership of the land is retained by the land owner. As applied to roads, the term "easement" is interchangeable with "right-of-way". The statute of frauds and CFR 25 169 requires all easements to be approved by the land owners, the Community Council, and the BIA.

**EDUCATIONAL INSTITUTION:** A school, college or university, providing general academic instruction typically equivalent to the standards prescribed by the Community or other appropriate authority. Accessory uses include snack bar or cafeteria, outdoor facilities directly related to or ancillary to the educational programs, administrative offices, and other related ancillary uses.

**ELECTRIC CHARGING STATIONS ACCESSORY TO PARKING AREAS:** Equipment placed within or adjacent to a parking space that connects to a vehicle to recharge the vehicle's power source while the vehicle is parked.

**ELECTRIC CHARGING STATIONS STAND ALONE:**. A business principally engaged in providing equipment for the use of charging electric vehicles for a fee.

**ELECTROPLATING:** The application of metal coatings including, but not limited to, chromium, copper, nickel, tin, zinc and combinations thereof on steel products using an electro-chemical process.

**EMERGENCY CENTER:** A medical treatment facility staffed, equipped and specializing in providing acute care of patients who arrive without prior appointment, either by their own means or by ambulance. The facility is typically open 24 hours a day, 7 days a week, and equipped to handle any type of medical emergency such as heart attacks, strokes and major trauma.

**ENGINEERING CONSTRUCTION SERVICES DEPARTMENT (ECS):** The Engineering and Construction Services Department of the SRP-MIC.

**ENTRY TRANSITION AREA:** The area abutting the ground level primary or secondary entrances of non-residential buildings and which through design identifies and differentiates the building entrance from the rest of the building facade and provides a transition from the exterior to the interior of the building using architectural and landscape features. Entry transition areas provide a microclimate and human scale features and blend the outdoor and indoor areas using features such as a portico over entry walkways, paving materials that flow from the exterior to the interior, furnishings, landscaping, public art, hardscape and other architectural features.

**ENVIRONMENTAL PROTECTION AND NATURAL RESOURCES (EPNR):** The Environmental and Natural Resources division of the Community Development Department of the SRP-MIC government.

**EQUIPMENT SALES AND LEASING, HEAVY:** Establishments selling or renting construction, farm, or other heavy equipment. Examples include cranes, earth moving equipment, tractors, combines, heavy trucks, etc.

# F

**FACADE:** The exterior walls of a building exposed to public view or a wall viewed by persons not within the building.

**FACTORY BUILT OR MODULAR BUILDING:** A building that is either wholly or in substantial part manufactured at an off-site location to be assembled on-site as a permanent structure, built to comply with Community-approved codes and regulations. In addition, may be designed for use as a dwelling, habitable space or other non-residential or commercial use. Factory built or modular building does not include a recreational vehicle, trailer or mobile home as defined herein.

**FACTORY FARMING:** Any facility where the process of raising livestock occurs in confinement at high stocking density to maximize output of animal products such as meat, eggs, milk, etc. Typically animals are fed in lots or pens in which no vegetation intended for livestock feed is growing; antibiotics and pesticides are required to mitigate the spread of disease and pestilence exacerbated by crowded living conditions or used to stimulate production livestock growth, fattening for market, slaughter or consumption.

**FLAGPOLE:** A freestanding ground-mounted structure or a structure mounted to a building wall or to the roof of a building and used for the sole purpose of displaying a flag.

**FAIR GROUNDS:** A facility or area designated for display and participation in activities related to farming and animal husbandry practices, equestrian shows, rodeos, domestic and craft skills and for cultural and community events.

**FAMILY:** An individual, or two (2) or more persons related by blood, marriage, guardianship, or adoption, or a group of persons, who are not so related, living together in a dwelling as a single housekeeping unit.

**FARM CENTER:** A site used for storing, and maintaining and/or repairing of farm equipment and including garages, business offices and other accessory buildings and structures all of which are directly related to authorized farming operations within the Community.

**FARMERS MARKET:** Commercial activities conducted in an outdoor area, or in semi-enclosed structures where two or more vendors display, barter, or sell directly to the customer food, merchandise and products made or produced locally, such as fresh fruits, vegetables, flowers, herbs, plants, unprocessed foodstuffs, home prepared food products such as jams, jellies, pickles, honey, jerky, nuts, sauces, or baked goods, homemade handicrafts, and home baked or canned foods, and as accessory items or for sale by other vendors' original artwork and jewelry. Vendors may also offer as accessory sales a limited number of commercially packaged handicrafts or commercially processed or packaged foodstuffs. Entertainment may also be provided as an accessory use. A farmer's market tends to be seasonal, and vendors typically do not occupy the market on an uninterrupted, daily basis.

**FARMING:** Tilling of the soil, seeding, cultivating and harvesting of plants for the production of food and fiber products, horticulture, viticulture, aquaculture, floricultural, sod production, orchards and plant nursery. Farming includes accessory uses, buildings and structures clearly directly related and incidental to farming activity on the site such as for packing, treating, or storing the products grown on the. Apiary, dairying, slaughtering (other than for family or personal use), concentrated confined animal feeding / production operations, fertilizer yard or commercial composting, or the reduction of animal matter or any other use objectionable because of noise, odor, smoke, dust, or fumes are not included.

**FEEDLOTS, FACTORY FARMING:** Enclosure of animals in a confined area where they are fed to fatten for market or held in a confined area for the production of products without the opportunity for daily access to open areas, pasture or range for feeding or other purposes.

**FENCE:** Any constructed barrier of any material or combination of materials erected to enclose or screen areas of a site.

**FENCE, VIEW:** A fence designed to enclose an area while still allowing one to see through the fence material at 30 (thirty) percent opacity or less**.**

**FINANCIAL INSTITUTION:** An establishment that focuses on dealing with financial transactions such as investments, loans and deposits, composed of organizations such as banks, trust companies, insurance companies and investment dealers, savings and loan, credit union, stock broker, and includes advisory, estate and financial planning services. See DRIVE-THROUGH SALES OR SERVICE

**FINISHED GRADE:** The elevation of the surface of a site or of an improvement (such as a walkway or street) that will exist upon completion of construction.

**FLEA MARKET:** Commercial activities held in an open area where sellers rent space to display, barter or sell goods to the public. A Flea Market typically is composed of semi-enclosed or outdoor stalls, stands or spaces, and is distinguished from a farmer's market in that a wide variety of goods

may be sold, and not principally fresh produce, art and handicraft items. Entertainment may also be provided as an accessory use.

**FLEET PARKING:** An area for parking a pool of commercial, government or business-owned vehicles and equipment including automobiles, light trucks, motorcycles, and small equipment. Typically fleet parking is separated from parking for vehicles of customers or employees.

**FLEET SERVICES:** Diagnosis and routine maintenance on one or several pools of commercial, government or business-owned vehicles and/or equipment. May be classified as (1) serving automobiles, and light vehicles, light trucks, light emergency vehicles, motorcycles, and small equipment or (2) serving commercial heavy vehicles and equipment such as large trucks, large emergency equipment and large construction equipment. Does not include major vehicle repair services.

**FLOOR AREA RATIO (FAR):** The ratio of the sum of the gross floor area of all buildings on a site, including primary and accessory buildings, divided by the gross site area. Structures for parking motor vehicles are excluded from the calculation of FAR.

**FLOOR AREA, GROSS BUILDING:** The sum of the gross floor area of all floors of a building of buildings, measured from the exterior faces of exterior walls or from the centerline of walls separating two (2) buildings, but not including underground parking spaces, uncovered stair wells or exterior balconies.

**FLOOR AREA, NET BUILDING:** Gross floor area minus the floor area of storage closets and mechanical rooms, stairwells, shared lobbies and shared corridors, elevators and stairways.

**FLOOR AREA, HABITABLE:** All improved areas of a structure that have a floor and a ceiling-to-floor height of seven (7) or more feet, including attic and basement space.

**FOOD AND BEVERAGEMANUFACTURING/PROCESSING FOR WHOLESALE OR DISTRIBUTION FOR RESALE:** Making food from one or more ingredients, or synthesizing, preparing, treating, modifying or manipulating food, including food crops or ingredients for wholesale or distribution for resale. Examples of manufacturing/processing activities include: Baking, boiling, bottling, canning, cooking, cooling, cutting, distilling, drying/dehydrating raw agricultural commodities to create a distinct commodity (such as drying/dehydrating grapes to produce raisins), evaporating, eviscerating, extracting juice, formulating, freezing, grinding, homogenizing, irradiating, labeling, milling, mixing, packaging (including modified atmosphere packaging), pasteurizing, peeling, rendering, treating to manipulate ripening, trimming, washing, or waxing. For farms and farm mixed-type facilities, manufacturing/processing does not include activities that are part of harvesting, packing, or holding. Animal (meat, seafood, poultry) product manufacturing/processing are not allowed under this use.

**FOOD CATERING SERVICE:** Preparation and sale of food made ready for same day consumption by retail customers offsite and including offsite delivery of prepared food.

**FOOD PREPARATION FACILITY:** A small facility that prepares food and beverages for off-site consumption primarily for sale to the general public. This classification includes catering kitchens and the production of specialty foods.

**FORECOURT:** An area in the front of a building created by the central portion of the building façade being set-back from the building line and from which access is provided to the building.

**FREIGHT AND PACKAGE DISTRIBUTION CENTER:** A building or site whose primary purpose is facilitating the delivery, sorting, transfer to larger or smaller vehicles, consolidation into larger quantities or breaking down into smaller quantities of goods and materials for reshipment to other locations typically for other businesses. Any warehousing is accessory to the primary purpose of moving goods and materials.

**FREIGHT / TRUCK TERMINAL:** Truck terminal means an establishment where trucks and/or transports are stored, rented, leased, kept for hire, or parked for a fee or from which trucks and/or transports are dispatched as common carriers, or where goods are stored temporarily for further shipment.

**FREEWAY:** A multi-lane roadway intended to carry high volumes of through traffic between communities at relatively high speeds, with full access control limited to arterial streets and grade separations at intersections.

**FRONTAGE:** The distance over which the boundary line of a property abuts the boundary line of a street, canal, freeway or other identified right-of-way or other defined element.

**FROZEN FOOD LOCKERS:** Facilities that offer large-scale reach-in/walk-in freezers and cold storage boxes/rooms and other similar types of secured accommodations capable of storing beverage, ice, food, and other perishable materials.

**FULLY SHIELDED:** A fully shielded (full cut-off) light fixture has a solid barrier (cap) at the top of the fixture in which the lamp (bulb) is located. The fixture is angled so the lamp is not visible below the barrier (no light visible below the horizontal angle).

**FUNERAL HOME**: An establishment where deceased persons are prepared for burial and where the body may be viewed and funeral services held. Does not include cemetery, crematorium or columbarium.

# G

**GARAGE, PRIVATE:** A detached accessory building or a portion of a primary building on the same lot as a dwelling for the primary purpose of storing vehicles and residential material of the dwelling occupants.

**GARAGE, STORAGE:** Any premises used exclusively for the storage of vehicles and/or equipment.

**GARDEN CENTER:** A place of business offering for retail sale plants and nursery products fertilizers potting soil hardscape materials outdoor furniture yard utensils hoes rakes shovels and other garden tools and small power equipment and machinery used in landscape maintenance. May include a greenhouse and an outdoor sales area in which plants and materials are stored and displayed. Plants propagated, transplanted and/or grown on-site are for retail sale.

**GENERAL MANUFACTURING AND ASSEMBLY:** Manufacturing, processing, compounding, treating, fabricating, assembling, packaging and/or shipping of products or parts of products from extracted, raw, recycled or partially treated materials. Activities are conducted either fully or partially within an enclosed building with minimal off-site impacts. Does not include chemical, drug, or pharmaceutical manufacturing.

**GENERAL MARKET:** Retail markets of food and grocery items for offsite preparation and consumption. Typical uses include supermarkets and specialty food stores, such as bakeries, candy, nuts and confectionary stores, meat or produce markets, butcher shops, cheese stores and delicatessens.

**GENERAL MERCHANDISE:** The selling, leasing, or renting of merchandise for personal or household use and the providing of services incidental to the selling, leasing, or renting of goods. Typical uses include department and variety stores, automotive accessories and new parts stores, electronics, office supplies, apparel stores, drugstores, florists, small tools and equipment, appliances, sporting goods and a variety of similar merchandise.

**GENERAL PLAN:** A plan, adopted by the Community Council, establishing goals and policies and depicting the future land development of the Community recognizing physical, economic, social, political, aesthetic, and related factors and which serves as a guide to related development decisions of the Community such as the use of land and the provision of infrastructure.

**GRADE:** See NATURAL GRADE.

**GUEST ROOM:** A room that is designed to be occupied by one (1) or more guests for sleeping purposes, but not including dormitories.

**GUEST:** Any transient person who occupies a room for sleeping purposes.

# H

**HABITABLE SPACE:** See FLOOR AREA, HABITABLE.

**HANDCRAFT INDUSTRY:** An industry that creates products that are mostly or partly hand-made, individually unique, or and distinctive, and not entirely mass produced by machinery. Example products include hand tailored or design clothing include tailor or clothing designer / seamstress,

artist, pottery making of individual pottery, jewelry, or baskets by hand, and hand silk-screening, and hand-blown glass.

**HAZARDOUS SUBSTANCE:** Any material that, by reason of its toxic, corrosive, caustic, abrasive or otherwise injurious properties, may be detrimental or deleterious to the health of any person handling or otherwise coming into contact with such material or substance. The term is as defined in the Federal Comprehensive Environmental Response, Compensation and Liability Act, or any substance that may cause substantial damage to the environment, or substantial danger to present or future public health, safety or welfare.

**HAZARDOUS WASTE:** A solid waste, or combination of solid wastes, with or without other materials, including excavated or unexcavated soils, which (1) because of its quantity, concentration, or physical, or chemical, characteristics may cause, or significantly contribute to an increase in mortality or an increase in serious, irreversible, or incapacitating illness, or pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, or disposed of, or otherwise managed; or (2) is a hazardous waste under the Federal Comprehensive Environmental Response, Compensation, and Liability Act of 1980, or the Resource Conservation and Recovery Act of 1976, as either act may be amended, and by any regulations promulgated thereunder, including, but not limited to, any substance, material, smoke, gas, particulate matter, or combination thereof containing asbestos or polychlorinated biphenyls; or (3) is toxic, ignitable, reactive, or corrosive, as regulated by the Community.

**HEALTH AND WELFARE CENTER**: A family-centered, community-orientated facility that provides primary health care, diagnosis, assessments, referrals, education on health issues, vaccinations, preventive care, counseling, physical therapy, prenatal, pediatric care, geriatric care and assistance, coordination of medical care and other medical care for clients on an ambulatory care basis.

**HEDGE:** A plant or series of plants, shrubs or other live landscape material so arranged as to form a visual and/or physical barrier or enclosure.

**HELIPAD:** A facility without the logistical support provided by a Heliport (see Heliport) where helicopters take off and land. Helipads do not include facilities for maintenance, repair, fueling or storage of helicopters.

**HELIPORT:** An area providing an area for the take-off and landing of helicopters and fuel facilities (whether fixed or mobile) or appurtenant areas for parking, maintenance, and repair of helicopters.

**HIGHWAY:** Streets intended to carry high volumes of through-traffic between communities, at relatively high speed, with control of access to facilitate traffic flow.

**HOME OCCUPATION AND RELATED ACCESSORY BUILDING(S):** Any occupation customarily conducted entirely indoors and carried on by the residents of the home and which use is clearly incidental and secondary to the use of the structure for residential purposes and does not change the residential character or building classification.

**HOME SITE:** A legally described property that has been encumbered by a lawfully-approved agreement between either allotment landowners or the Community and a natural person(s) who is the assignee, for use by an assignee for a primary residence.

**HOSPICE:** An inpatient care facility providing palliative care to people with a life-limiting illness, providing rudimentary medical care, pain management, emotional, spiritual, and psychological services, and assistance with basic needs with the goal of improving quality of life for the patient and immediate family members.

**HOSPITAL:** A facility devoted primarily to the diagnosis and treatment of people. A hospital may include an emergency room, trauma center, obstetrics ward, pediatric ward, intensive care unit, and may have specialized areas for or be entirely devoted to certain conditions or medical disciplines (e.g. cardiology centers, cancer centers, psychiatric care, teaching). It may include a variety of accessory uses intended for hospital users including meeting rooms, food establishments, gift stores, hospice, morgue and medical research facilities.

**HOSPITAL, SHORT TERM OR SPECIALIZED CARE:** An inpatient facility providing comprehensive services to patients who require complex medical and/or rehabilitative care, often following hospital care. Care is short term (typically inpatient care less than thirty (30) days) and helps patients

transition to a lower level of care such as home health care, or return to the community. Includes the term medical rehabilitation hospital or facility.

**HOTEL / MOTEL / INN:** A building or portion of a building containing guest rooms and/or suites and used primarily for the accommodation of transient travelers. Occasionally, the length of stay may exceed thirty (30) consecutive calendar days but is still temporary in nature. Accessory uses may include recreation or spa facilities, dining, gift shop, conference center, meeting rooms, ballroom, retail and other facilities primarily for use by visitors.

**HOUSEHOLD:** Consists of one or more people who live in the same dwelling sharing living accommodations.

# I

**INDEPENDENT SENIOR LIVING FACILITY:** See SENIOR HOUSING.

**INDOOR OFFICE-STORAGE FACILITY:** A facility providing indoor storage space for records, office supplies and office equipment.

**INDUSTRIAL, GENERAL:** Uses that have the potential of for a significant negative impact on surrounding areas that are unlikely to be fully mitigated; uses that require unenclosed structures that are large, tall, and unsightly; operating of heavy equipment or outdoor manufacturing; uses that have the potential for generation of dust, noise and odor and may involve large amounts of exterior storage (excluding farming). Examples include concrete batching plants, rock crushing and sand and gravel operations, asphalt plants, operating heavy equipment.

**INDUSTRIAL, LIGHT:** Businesses involved in assembly and/or use of pre-manufactured parts or materials to produce a product; operating indoors with minimal external effects; having limited or no on-site consumer sales or services; and does not include significant use of hazardous materials or production of hazardous wastes or use of heavy equipment.

**INDUSTRY:** The manufacture, fabrication, processing, reduction or destruction of any article, substance or commodity, or any other treatment thereof in such a manner as to change the form, chemical composition, character or appearance thereof.

**IMPROVEMENTS:** All modifications to a site from its natural condition, including, but not limited to, grading, buildings, structures, signs, landscaping, drainage facilities, driveways, streets, lighting, utilities, paved or graveled areas, etc. Typically all activities that require a building, grading, landscaping, sign, or other construction related permit.

**INN:** See HOTEL / MOTEL / INN

**INPATIENT:** A person admitted for stay within a medical facility for a period of more than twenty-four (24) hours to receive medical care.

**INTENSIVE OFFICE USE, CALL CENTERS:** An office space that requires a high number of parking spaces due to a high number of employees per square foot that primarily provide services that involve little or no visits to the site by customers such as a call center or an office use that requires a large number of parking spaces for customers or visitors typically with little or a slow turnover rate such as a training center or licensing facility. Examples include 24 hour offices used for handling a large volume of consumer requests for product sales, support or information and/or for soliciting new clientele, expanding product services, fundraising, or debt collection.

# J

# K

**KENNEL:** Any building, lot or premises, on which five or more dogs, cats, or other small or domestic animals are boarded overnight and provided non-medical care by persons other than the owner of the pet with or without remuneration. A zoo, pet store, veterinary clinic, animal hospital, breeding of animals, the keeping of animals as personal pets and animal husbandry are not considered a kennel.

**KIOSK:** A permanent or semi-permanent open structure, fixture or booth of less than two hundred (200) square feet designed to display merchandise or for the sale of food. Kiosks typically serve customers without them being required to enter a structure. A kiosk can also be a fixture designed to display advertisements or other information related to the location or a business or businesses on the same site.

**KITCHEN:** Any room designed to be used or maintained for the cooking and/or preparation of food.

# L

**LABORATORY, DEVELOPMENT:** A facility where particular processes or products are created and refined for eventual marketing or for use by a business or service.

**LABORATORY, MEDICAL DIAGNOSTIC:** A laboratory where the primary function is testing clinical specimens (e.g., tissue, biopsy, blood) in order to get information about the health of a patient specifically pertaining to the diagnosis, treatment and prevention of disease. It may involve the use of sophisticated instruments and techniques with the application of theoretical knowledge about disease states, physiology, anatomy and organ and tissue function. As a primary use, is not a customer-based/walk-in facility May be an accessory use in a hospital or similar.

**LABORATORY - MATERIAL TESTING:** A facility where non-volatile, non-hazardous samples primarily related to construction materials, soils and similar are tested. Typical tests include mechanical or physical testing, strength, density, compaction, slump, composition, PH, etc.

**LABORATORY, TESTING:** A facility where samples are tested often requiring chemical, physical, and/or metallurgical analyses of incoming materials, as well as tests at various stages of a process. These laboratories may be a part of a manufacturing organization or have independent status serving several clients. For the purpose of this ordinance, the term excludes medical and/or biological research on such materials.

**LAND FILL OR/ DUMP:** Any discrete area of land or an excavation where solid waste is disposed via confinement with adequate controls to restrict access to or movement of such waste and may include composting or recycling facilities and hazardous material transfer facilities; This definition does not include disposal of a hazardous substance or waste that endangers health and safety.

**LAND MANAGEMENT BOARD (LMB):** The appointed members of the Land Management Board of the Salt River Pima-Maricopa Indian Community acting collectively in accordance with their bylaws and as authorized in their official capacity.

**LAND OWNER(S):** Either a natural person or the Community government who owns a certain percentage of an undivided interest of allotted or tribal land located within the boundaries of SRP-MIC.

**LAND USE:** Engaging in or conducting certain types of activates on a site, including the management of the natural environment and/or modification of the natural environment into built environment such as fields, pastures, adding buildings and other facilities to accommodate certain types of activities. See also USE.

**LANDSCAPE:** Any combination of living plant material such as trees, shrubs, cacti, vegetative ground cover or turf and structural features such as walkways, fences, walls, pergolas, arbors, gates, benches, plazas, works of art, water features, and similar features. Landscapes also include irrigation systems and any mulch, rock, topsoil, vegetation or the preservation, protection and replacement of existing landscape material.

**LANDSCAPE SETBACK:** The area abutting a street right-of-way or easement required to be landscaped and on which only approved landscaping (materials and plants), sidewalks, street furniture, light fixtures, utilities, low walls and signs are permitted.

**LANE:** A local thoroughfare accommodating low volume, low-speed yield traffic movements.

**LAUNDROMAT:** Any location or premise where washing machines and dryers are operated for use by the public.

**LEGAL REQUIREMENTS OF THE SRP-MIC:** All statutes, laws, rules, orders, regulations, conditions, policies, procedures, codes, standards, permits, fees, taxes and ordinances and general police

powers (including without limitation judicial powers, judgments, decrees and injunctions) of SRP-MIC and applicable federal governmental entities currently in place or hereafter from time to time adopted by SRP-MIC, all as the same may be adopted, amended, modified, replaced or superseded from time to time.

**LESSEE:** A person or legal entity holding a valid leasehold interest.

**LIGHT ASSEMBLY:** Processing, assembling, packing, treatment, and storage of finished or semi-finished parts or products that produces no significant off-site noise, vibration, air pollution, fire hazard, odor or noxious emissions, and does not emit fumes, gases, smokes or vapors. These uses are conducted completely in an enclosed building and typically use smaller vehicles for shipping and deliveries. Light assembly excludes the initial processing of raw materials.

**LIGHTING, FULLY SHIELDED FIXTURE**: A fixture constructed and installed in such a manner that all light emitted by it, either directly from the lamp (bulb) or a diffusing element, or indirectly by reflection or refraction from any part of the fixture, is projected below the horizontal. This can be determined by a "field test" or a visual assessment of an operating sample.

**LIGHTING, OUTDOOR:** Any lighting mounted outdoors or designed to illuminate an outdoor area such as landscapes, parking areas, recreational areas, the exterior of buildings, walkways, for security, mounted under an eve, awning, patio cover or canopy, or in an open sided structure.

**LIGHTING, UP:** Lighting mounted in a manner that the light rays of a lighting fixture are visible or distributed at any angle above the lowest horizontal plane.

**LIVESTOCK:** Domesticated animals such as cattle, horses and sheep that have been reared to produce such things as food, fiber, pelts, or are kept for their labor. Wild populations of any species are not livestock.

**LOADING SPACE:** An off-street space or berth for the temporary parking of commercial vehicles to load or unload and served by adequate off street maneuvering space.

**LODGING (VISITOR ACCOMMODATIONS):** A building or group of buildings containing individual rooms or suites of rooms for rent for the purpose of short term overnight lodging by the general public, each providing sleeping facilities, a private bathroom, with or without meal service, and which has common ownership, facilities for reservations, cleaning services and on-site management. Includes hotels and motels but does not include timeshares.

**LOGO:** A registered symbol, design or emblem used to identify a business or organization.

**LOT:** A legally described parcel of land, of or exceeding the minimum width, depth and area required by this Ordinance and fronting upon or having other legal adequate access to a public or private street.

**LOT LINE, COMMON:** Any side or rear property line that adjoins or abuts another side or rear property line, not including side or rear property lines abutting a street or alley.

**LOT LINE, FRONT:** The distance over which the boundary line of a property and the boundary line of a street or other identified right-of-way are coincident and on which the lot is addressed.

**LOT LINE:** Any line bounding a lot including lines established by the 1911 Government Land Office (GLO) survey for this Community.

**LOT WIDTH:** The horizontal distance between the side lot lines measured at right angles to the lot depth at the building setback line as established for each zone in this Ordinance.

# M

**MAINTENANCE:** 1**.** The replacing of a part, or parts, or materials that are consumed during normal operation or made unusable or deteriorated by ordinary wear and tear or by the weather; 2. The general periodic cleaning and upkeep of buildings, structures, landscaping, signage, lighting and other improvements; or 3. The work necessary to keep a structure or other improvements in a good state of repair, but not including replacement or change from the original form, type of materials or colors.

**MAINTENANCE SHOP:** A garage or facility where vehicles or equipment are serviced by periodic replacement of fluids or parts that are consumed or which deteriorate during normal operation or ordinary wear and tear or by the weather and includes general periodic cleaning or washing and cosmetic refurbishing. Includes servicing of individual or fleets of vehicles. Does not include major mechanical repair, body work or painting.

**MAINTENANCE AND REPAIR SERVICES:** Establishments providing repair and/or rental services for personal and household goods, such as household appliances, electronics, office machines, furniture, luggage, shoe, small equipment and tools, and leather goods conducted entirely within an enclosed building. This classification excludes Vehicle Services, both Light and Heavy, and internal combustion engine repair.

**MARIJUANA ESTABLISHMENT:** Any facility, residence, plot of land, or Business that 1.) Operates a retail location at which marijuana and marijuana products may be sold or provided to consumers 2.) Cultivates marijuana and manufactures marijuana products for sale or for any purpose other than personal cultivation as provided in 6-124(a)(3) of the Code of Ordinances and/or 3.) Stores marijuana products or packages for sale or distribution. This definition excludes medical and recreational marijuana use and personal cultivation as provided in 6-124(a)(1), 6-124(a)(2) OR 6-124(a)(3) of the Code of Ordinances, as may be amended, replaced, or repealed.

**MASTER PLAN:** A plan for development of a specific property or properties. Master plans guide and coordinate development and indicate the location of the applicable zoning district(s), vehicular and pedestrian circulation patterns, size and location of infrastructure improvements, drainage plans, open space, design of specific improvements, architectural styles, phasing of improvements and other details that are applicable to the development.

**MASTER PLANNED DEVELOPMENT:** A property or properties that are to be developed in a coordinated manner under a common approved plan. Typically a master planned development is developed by one main developer under a master lease and who subleases improvements or sites to sub-tenants.

**MECHANICAL REPAIR SHOP**: A garage or facility where broken, damaged or otherwise none functional vehicles or equipment are repaired with replacement parts. Includes mechanical work, body work, and painting and may include maintenance shop services as an accessory use.

**MECHANICAL REPAIR SHOP, BODY SHOP, PAINT SHOP:** Establishments providing repair and/or rental services for personal and household goods, such as household appliances, electronics, office machines, furniture, luggage, shoe, small equipment and tools, and leather goods conducted entirely within an enclosed building. This classification excludes Vehicle Services, both Light and Heavy, and internal combustion engine repair.

**MEDICAL OFFICE / CLINIC:** A primary care service for medical preventative care or care of acute or chronic illnesses for individuals. Services are provided on a drop-in or appointment basis under the supervision of a licensed professional. Examples include family practices, general internal medicine, general pediatrics, obstetrics, gynecology, dentistry, periodontics, endocrinology, chiropractic, counseling, physical therapy and clinical preventive services. Primary care services may include providing sick and wellness care for all age groups from prenatal and pediatric care to geriatric care and typically represents the initial point of contact between an individual and the health care system. No inpatient facilities for overnight stays are provided or necessary.

**MEDICAL TESTING CENTER:** A customer-based facility primarily used for testing and obtaining specimens for medical diagnostic purposes. May include services such as medical resonance imaging (MRI), ultrasound, x-ray, and blood testing. May be an accessory use in a hospital, medical treatment center, clinic or similar.

**MEDICAL TREATMENT CENTER:** A facility devoted primarily to the diagnosis, treatment, and ambulatory care of patients with no overnight stays and may include minor surgery, administering of special treatments or procedures, x-rays and other forms of information gathering and testing for diagnostic purposes.

**MEMORIAL HALL or CRY HOUSE.** A room or building where services for deceased persons are held prior to cremation or burial. Excludes facilities where bodies are prepared for viewing, embalmed, or cremated.

**MEZZANINE:** A habitable level between two main stories of a building covering an area smaller than the floor below.

**MINI-STORAGE:** Rented or leased storage spaces in which the lessees themselves customarily store and remove their own personal property on a self-service basis but with an attendant present during all hours of operation.

**MITIGATION:** The application of measures designed to avoid, minimize, offset or lessen impacts of a use on the built, natural or cultural environment of the surrounding area.

**MIXED USE:** A development consisting of more than one general category of land use within a single building or in adjacent buildings.

**MOBILE HOME:** A residential structure manufactured on or before June 15, 1976, that is transportable in one or more sections, eight (8) feet or more in body width, over thirty (30) feet in body length with the hitch, built on an integral chassis, designed to be used as a dwelling when connected to the required utilities and not originally sold as a travel trailer, recreational vehicle, or factory-built building and which includes the plumbing, heating, air conditioning and electrical systems in the structure.

**MOBILE HOME PARK**: A commercially leased site containing more than two mobile homes and typically occupied by persons who have no share of ownership in the home site.

**MOBILE VENDOR:** Any commercial sales of goods or materials or food made from a vehicle of any kind, such as automobiles, trucks, trailers, push carts, etc., or made from temporary facilities of any kind or size. Includes a business operated out of a mobile cart or kiosk of less than two hundred (200) square feet, designed for the sale of food or merchandise solely to pedestrians in locations authorized by the person in control of the site and by the Community.

**MODIFICATION:** Any change to a site or to the exterior character of any development improvements including changes to building size, shape, façade, color, finishes or surface materials, changes to site grading, parking and loading areas, paved and graveled areas, outdoor areas such as storage, activity areas or open areas such as plazas, walkways, landscaping of the site, the development of new improvements or removal of existing improvements. Alteration also means an increase in the intensity of a use. Alteration does not include normal maintenance and repair.

**MORGUE:** A room or building in which dead bodies are kept until they are autopsied or identified.

**MORTUARY:** See FUNERAL HOME.

**MOTEL:** See HOTEL / MOTEL / INN

**MOTION PICTURE SITE/STUDIO:** Permanent facilities for the filming, processing, editing, or production of motion pictures involving the use, construction, or structural alteration of buildings or structures.

**MULTI-FAMILY:** See DWELLING, MULTI-FAMILY.

# N

**NATIVE:** Indigenous to the Lower Sonoran Desert in Arizona.

**NATURAL GRADE:** 1. The top of the nearest arterial, collector or local street curb or edge of pavement within one hundred (100) feet of the building, excluding freeways or elevated roadways; or 2. the average elevation of the lowest and highest point of the ground within twenty-five (25) feet of the building or structure foundation if the building or structure is more than one hundred (100) feet from an arterial, collector, or local street curb or edge of pavement. (Man-made elevated areas such as mounding, raised planters, crawl space or under-building parking, or portions of a basement that are above ground, are included in the measurement of height. Man-made depressions such as detention basins are not included in the measurement of height.)

**NATURAL PERSON:** An individual human being.

**NEIGHBORHOOD CENTER:** A facility that primarily serves a neighborhood or adjacent neighborhoods or a residential area of the Community with shared social gathering and meeting

space and indoor recreation. Accessory uses may include kitchen facilities, small active or passive outdoor recreation facilities.

**NEIGHBORHOOD PARK:** A park developed for passive or active recreation for the primary purpose of serving the surrounding neighborhood.

**NURSING HOME:** A licensed medical health care facility that provides long term care services to chronically ill persons, including those with chronic mental illness. A nursing home includes inpatient beds or resident beds and nursing services to persons who need nursing services on a continuing basis but who do not require hospital care or direct daily care from a physician. May offer short term rehabilitative services, such as those needed to help people recover from recent hospitalization.

# O

**OCCUPANCY:** The use or intended use of a building or part thereof for the shelter or support of persons, animals or property.

**OFFICES, BUSINESS AND PROFESSIONAL:** Premises intended or used for administrative and professional activities and services and for the transaction of general business.

**OFFICES, CORPORATE OFFICE HEADQUARTERS:** Offices from which business management or services are provided to other parts of the business located elsewhere. May include a campus-like setting, with more than one building, accessory recreation and fitness facilities, shipping and receiving, truck loading areas, a café, facility management areas, and other accessory uses that support, but are secondary to, the office environment.

**ON-SITE:** Located within the boundaries of development site designated or leased for the particular use or within the boundaries of the master lease of a multi-tenant master planned development.

**OPEN GRAZING:** A type of feeding of animals kept for use or profit, where they are unconfined and free to roam and feed on grasses and shrubs either planted as a crop or naturally occurring on lands where the land owner has granted permission. Open grazing applies to any animal kept for use or profit, including, but not limited to, horses, cattle, burros, mules, cattle, goats and sheep and does not apply to wild populations. Open Grazing includes management of the animals and vegetation in a sustainable manner and to avoid erosion and other undesirable effects.

**OPEN SPACE:** Space on a developed site that is improved and maintained to be enjoyed by people and/or for the purpose of wildlife habitat that enhances the quality of the outdoor environment such as on-site landscaped areas, passive or active recreation areas, building base areas, courtyards, plazas, walkways, paseos, green roofs, or improved areas that enhance the use of flood plains or wildlife habitat, and areas used to preserve cultural resources or part of a desert or agricultural preserve. Open space does not include areas for vehicular use, landscaping within street rights-of-way or street easements, vacant unimproved land, outdoor storage areas, outdoor display or sales areas and does not include storm drainage retention areas that are designed solely for storm water retention/detention and do not function as a secondary use, such as a landscape area, recreation area or landscape buffer. May also mean land that is left in a natural, desert state.

**OUTDOOR DISPLAY:** The display of merchandise, vehicles or equipment for the purpose of sale or rent in outdoor unenclosed or partially enclosed areas visible from a street or an adjacent property.

**OUTDOOR STORAGE, ACCESSORY:** Keeping of components, goods, inventory, products, material, or equipment, which is not intended for immediate sale on a lot exterior to a building.

**OVERLAY DISTRICT:** Community Council approved regulations, guidelines or modifications to zoning district regulations, uses or development standards for all development within a described geographic area. Overlay district regulations may supersede and modify applicable requirements of the underlying zoning district.

# P

**PACKING HOUSE FOR AGRICULTURAL PRODUCTS PRODUCED WITHIN SRP-MIC:** A facility where agricultural produce is brought to be packaged into smaller containers and shipped. Typically includes temporary warehousing of bulk and/or packaged produce, facilities to sort and crate or box products, truck loading docks and use of equipment to handle crated products.

**PARCEL:** A legally defined area of land consisting of all or part of one allotment or of a contiguous group of allotments, or Community land considered a unit for purposes of development and calculations such as floor area ratio, density, and open space.

**PARK AND RIDE LOT:** Commercial or public parking area associated with a different transit mode such as rail, bus or car-pooling where private vehicles are parked for less than twenty-four (24) consecutive hours.

**PARKING AREA:** An area on a parcel including parking spaces, drive aisles, internal landscaping and other required improvements that conforms to the minimum standards of this ordinance for the parking of vehicles.

**PARKING AREA, PRIVATE:** An area used for the parking of automotive vehicles and restricted from use by the general public.

**PARKING LOT, PUBLIC:** A parking lot or structure typically provided by the SRPMIC that is open for use by the general public.

**PARKING LOT, COMMERCIAL:** A parking lot or parking structure that is built as a facilty to provide parking for lease or rent to the general public as opposed to a parking lot or garage provided to meet required parking spaces for a principal or accessory land use.

**PARKING, ON-STREET:** Vehicle parking allowed by SRP-MIC on a public or private street.

**PARKING SPACE:** Space exclusive of drive aisles, driveways, ramps, columns, and loading areas devoted to the parking of one (1) automobile. Such space shall have unimpeded vehicular access and comply with the dimensional standards of this ordinance.

**PARKING STRUCTURE:** A building containing two (2) or more stories of parking or a parking area of one or more stories located under a building at or below finished grade.

**PARKING, FLEET:** See FLEET PARKING.

**PASTURING OF LIVESTOCK:** A type of feeding occurring within a fenced area or on a tether, in which domestic animals such as horses, cattle, burros, mules, goats, and sheep are fed on grasses and shrubs either planted as a crop or naturally occurring. Pasturing includes management of animals and vegetation so as not to cause conditions of erosion and other undesirable effects.

**PAWN SHOPS:** A retail use that provides short term loans in exchange for merchandise.

**PAYDAY LOANS:** A type of short-term borrowing where a lender will extend high-interest credit based on your income. Also known as cash advance loans or check advance loans.

**PEDESTRIAN CIRCULATION:** A system of connecting paths that connect destinations and uses within a development site, between adjacent developments and abutting streets.

**PERFORMING ARTS THEATER:** Performing arts that are expressed by individuals or groups involving performance through multi-sensory experiences, which performances may include, but need not be limited to, dance, music, theater, and digital or electronic productions.

**PERSON:** Any natural person, or agent or entity created by law, including, but not limited to, an estate, receiver, syndicate, firm, joint venture, corporation (profit or nonprofit), partnership, association or trust, or any group or combination acting as an entity. When used in a penalty provision, “person” shall include the members of such partnership, the trustees of such trust, and the officers and members of such organization, association, corporation or entity.

**PERSON IN CONTROL OF THE PROPERTY:** A person, business, government or agency who or which through ownership, lease or other legal agreement has the current right to use the subject land or a structure.

**PERSONAL SERVICES**: A business which provides a variety of services for the purpose of improving health, beauty and relaxation through personal care treatments including, but not limited to, body or facial treatments and similar services. May include therapeutic massages performed by a licensed massage therapist applying specific techniques of manipulation of muscles, connective and soft tissues.

**PET DAY CARE:** A facility where the care, supervision, and/or training of small domesticated animals unaccompanied by the owner is provided during a period of less than twenty-four (24) hours and not overnight.

**PET GROOMING:** A facility where pets are provided general hygienic and similar care using non-prescriptive over-the-counter supplies. Does not include overnight boarding of animals.

**PET STORE/RETAIL SALE OF PETS, PET FOOD AND SUPPLIES:** A retail use that provides the sale of household pets, pet supplies, incidental grooming of pets, but does not include boarding of animals not for sale.

**PHARMACY:** An establishment engaged in the retail sale and/or compounding or prescription drugs, nonprescription medicines, homes and personal care products, and related supplies. This definition does not include marijuana dispensaries.

**PLACEMENT:** The way elements of a site or building are placed or located on the site.

**PLACES OF WORSHIP:** Sites or facilities used for gathering primarily or exclusively for religious worship and incidentally related activities. Examples include church, temple, mosque, synagogue, lodge or other structure, together with accessory structures or outdoor alters or areas used on a regular basis by an organized group.

**PLANNED DEVELOPMENT DISTRICT:** An ordinance establishing specific zoning regulations, such as land uses and/or development standards, that vary from and supersede those of this zoning ordinance that are applicable to a geographic area defined by a property, properties or legal description.

**PLANNING SERVICES DIVISION:** A division of the SRP-MIC Community Development Department primarily charged with administering the Zoning Ordinance and planning projects for the SRP-MIC government.

**PLANT NURSERY WHOLESALE:** A place of business where commercial propagation and growing of plants for sale to wholesale customers is the primary purpose. Nurseries typically include greenhouses, equipment, office space and accessory structures related to the primary business.

**PLAZA:** A public space designed for civic and/or commercial activities within a development site generally including landscape and hardscape areas, street furniture, and spatially defined by building frontages on two or more sides.

**POWER GENERATION FACILITIES PRIMARILY SERVING USES OFF-SITE, SUCH AS WINDMILLS, SOLAR FARMS, WATER OR FUEL BASED GENERATION:** Any equipment used to collect or convert sources of energy of any kind for other users and operated as a primary use of a site.

**POWER GENERATION FACILITIES PRIMARILY SERVING USES ON-SITE (E.G. SOLAR, WIND):** Any equipment used to collect or convert sources of energy by users on the same site.

**POWER GENERATION, ACCESSORY:** Any equipment used to collect or convert sources of energy of any kind exclusively for and equal to the amount of energy required by users on the same site.

**PRESERVE:** Areas identified as Preserve on the General Plan.

**PRIMARY SIDEWALKS:** The sidewalks or pathways that are likely to be used the most by pedestrians traveling between major elements or uses on a site. Typically the principal elements of pedestrian circulation on a site.

**PRODUCE STAND:** Use of a site, vehicle, or small open structure seasonally by one vendor for the retail sale of fresh fruits, vegetables, flowers, herbs, or plants grown within the SRP-MIC or locally. May also involve the accessory sales by the same vendor of other unprocessed foodstuffs, home processed food products such as jams, jellies, pickles, honey, sauces, or baked goods, and homemade handicrafts. Commercially packaged handicrafts or commercially processed or packaged foodstuffs are incidental to the other products sold.

**PRODUCT DEVELOPMENT, RESEARCH AND TESTING (OTHER THAN MEDICAL, BIOLOGICAL, PHARMACEUTICAL):** Establishments primarily engaged in scientific research, and the design, development, engineering, and testing of high-technology electronic, industrial or scientific products

in advance of product manufacturing. The production of products, plans, or designs may be part of this classification when the primary purpose of such production is research, development, or evaluation, rather than sale.

**PRODUCT DEVELOPMENT, RESEARCH AND TESTING (MEDICAL, BIOLOGICAL AND PHARMACEUTICAL):** A facility where the principles of the natural sciences, especially biology and applications of science are applied to biological samples of tissue or blood, for application in clinical medicine or the understanding of life processes, disease or cures.

**PRODUCT DISTRIBUTION**: Facilities used for packageing and processing products for distribution with no on-site sales/

**PRODUCT FULFILLMENT CENTER**: The storage and distribution of a variety of finished and/or bulk products to be redistributed to retailers, wholesalers, and/or last mile distribution centers. Typically not directly to the consumers. Excludes bulk storage of volatile, flammable or otherwise hazardous goods and materials. Fulfillment centers are larger in size, designed and situated to handle heavy truck traffic.

**PROPERTY LINE:** A property line may be an allotment line, partition line or a master lease or sublease line.

**PROPERTY:** An allotment, Community land, or leasehold interest.

**PROPERTY OWNER:** A person, government or agency with legal full or partial ownership to an allotment, home site or land within the SRP-MIC and any improvements thereon. See also LANDOWNER.

**PUBLIC SAFETY WIRELESS COMMUNICATIONS FACILITIES:** A facility for the transmission and/or reception of radio frequency signals, including over-the-air broadcasting signals, usually consisting of antennas, equipment cabinet, a support structure, and/or other transmission and reception devices. The following are not considered WCFs: Ham radio; amateur radio facilities; wireless and satellite systems located at homes for personal use; Community-owned or Division-operated Public Safety Radio; Community-owned or Division-operated two-way radio systems and/or television broadcasting towers; and Saddleback owned or operated point-to-point end-user facilities.

# Q

# R

**RECREATION, ACTIVE:** Recreational and support facilities, uses, areas, and activities oriented toward active participation by individuals or by teams, or potential competition and may involve special equipment. Playgrounds, sports fields and courts, swimming pools, skating rinks, tennis facilities, and golf courses are examples of active recreation uses.

**RECREATION, PASSIVE:** Recreational uses, areas, or activities, oriented to noncompetitive activities, or that are generally of low maintenance; require little or no special equipment, courts or fields. Picnic areas, walkways and paths, seating areas, meditation areas, viewing areas for gardens, fountains, ponds, landscapes and/or wildlife are examples of passive recreation areas.

**RECREATIONAL FACILITIES:** Establishments providing indoor amusement or recreation. Typical uses include: billiard halls, laser tag, electronic and coin-operated game rooms, bowling alleys, baseball batting cages, climbing gyms, and skating rinks.

**RECREATIONAL VEHICLE:** A vehicle designed with living quarters for recreational, camping, or travel use, which either has its own motor power or is mounted on or drawn by another vehicle. For the purposes of this ordinance a recreational vehicle is not a permanent or primary residence.

**REHABILITATION CENTER, BEHAVIORAL:** A facility providing outpatient and short term inpatient care and rehabilitation services, typically less than thirty (30) days, for the treatment of illness due to habitual behavioral problems, including detoxification from drug or alcohol abuse or addiction, counseling, education, and related services.

**REHABILITATION CENTER, MEDICAL:** An inpatient facility providing comprehensive services to patients who require complex medical and/or rehabilitative care, often following hospital care. Care is

short term (typically inpatient care less than thirty (30) days) and helps patients transition to a lower level of care such as home health care, or return to the community. Includes the term medical rehabilitation hospital or facility.

**RESTAURANT, FULL SERVICE:** Eating and drinking establishments whose primary business is the serving of food to the public, where the food and beverages are served in a ready-to-consume state and are intended to be consumed within the building or accessory outdoor seating areas. May include accessory take-out service and food catering for offsite consumption.

**RESTAURANT, LIMITED SERVICE:** Eating and Drinking Establishments providing food prepared on-site, sold to patrons who pay before eating. Food and beverages may be consumed on the premises, taken out, or delivered. Generally no table service is provided. This classification includes cafeterias, cafes, fast-food outlets, pizzerias, snack bars, food and beverages to go, and mobile/third party pick up. See DRIVE-THROUGH SALES OR SERVICE

**RIDING ACADEMY:** A school for instruction in equestrianism compete within designated fenced space such as a pen, paddock, corral or arena, located indoors or outdoors and includes renting of horses for riding, stabling, training, exercising and general care of horses. Accessory uses include barns, stables and pasture areas.

**RIGHT-OF-WAY (ROW):** Land dedicated to public use for vehicular and/or pedestrian movement, which may also accommodate public utilities, utility easements, and is either publicly owned or is subject to an easement benefiting the general public. Rights-of-way within the SRP-MIC are typically held as easements and the terms “right-of-way” and “street easement” or “roadway easement” are interchangeable.

**RIGHT-OF-WAY LANDSCAPING:** The area within a right-of-way not used for vehicular travel and as allowed by grant of easement which may include landscaping (materials and plants), sidewalks, street furniture, light fixtures, low walls, public art and other approved improvements to enhance the appearance of the right-of-way.

**ROADSIDE:** The area between the outer edge of the improved road driving surface and the border of the right-of-way.

**ROOM:** An undivided portion of the interior of a dwelling unit, excluding bathroom, kitchen, closets, hallways and porches.

# S

**SALES AREA:** An indoor or outdoor area where merchandise for sale is displayed, presentations are made, or services are provided, and/or business is transacted, including permanent or temporary structures or facilities, merchandise displays, stage and entertainment areas, shopping and pedestrian circulation areas, customer seating or viewing areas, and customer service areas.

**SALT RIVER PIMA-MARICOPA INDIAN COMMUNITY (SRP-MIC):** The territory of the Salt River Pima-Maricopa Indian reservation, the members of the Salt River Pima-Maricopa Indian tribes as a distinct group of people collectively, or the Salt River Pima-Maricopa Indian Community government, its authorized agents or officials as established by Executive Order on June 14, 1879.

**SALVAGE YARD:** Facilities and equipment for storage and handling of recycled and salvaged materials, wrecked vehicles or equipment, scrap metals and materials. Includes salvage and sale of parts, compaction and bulk sale of materials. Does not include permanent disposal, landfill or dump.

**SCHOOL, PRE:** See DAYCARE CENTER, CHILDREN.

**SCHOOL, PUBLIC OR PRIVATE:** Facilities provided by or through the SRP-MIC government for primary or secondary education, primarily serving the SRP-MIC, having curricula of general academic education consistent with or exceeding the academic requirements of the State of Arizona, including kindergarten, elementary, junior high school, and high school, including accessory facilities traditionally associated with schools, such as athletic fields, cafeteria, auditorium, library, administrative offices, and gymnasiums.

**SCHOOL, VOCATIONAL, TECHNICAL OR TRADE:** Schools established to provide teaching of clerical, managerial, vocational, technical, trade or artistic skills for adult students. Does not include schools primarily serving students of junior or high school age in lieu of junior or high school.

**SCHOOL, VOCATIONAL, TECHNICAL OR TRADE (AGRICULTURAL RELATED):** Schools Established to provide teaching of agricultural-related subjects to adult students and which require direct use of agricultural fields or equipment on the Community as part of the teaching.

**SECONDHAND / CONSIGNMENT STORE:** A retail establishment where previously owned merchandise, such as household goods and electronics, small appliances, books, toys, sports/recreational equipment, clothing, jewelry, antiques, shoes, and fashion-related accessories, is sold. This use specifically excludes donated items from being sold and does not include secondhand motor vehicles, parts, or accessories. Does not include donated items, see THRIFT STORE.

**SENIOR CENTER:** Facilities providing social meeting, activity, and recreation space for seniors of the SRP-MIC and including accessory facilities and outdoor spaces.

**SENIOR HOUSING:** Housing provided by or on behalf of SRP-MIC government for people 55 years and older.

**SELF-STORAGE, INDOOR:** A building or buildings designed to be rented to the public in individual units for the purpose of storing nonvolatile nonhazardous personal or business materials completely within the fully enclosed secure building.

**SELF-STORAGE, OUTDOOR:** An area completely enclosed and screened from view from adjacent sites and streets by a solid opaque wall and that is rented to the public in parts for the purpose of storing nonvolatile nonhazardous personal or business materials, equipment, vehicles and similar.

**SHORT TERM:** Not more than thirty (30) calendar days within any forty-five (45) consecutive calendar days.

**SHOWROOM IN CONJUNCTION WITH A PERMITTED USE:** A use that is primarily industrial in nature but provides indoor limited show room for the purpose of display and sales of specialized products.

**SIDEWALKS:** Sidewalks or pathways that provide convenient links between elements of a site but that are not the primary sidewalks or are not anticipated to carry a significant amount of pedestrian traffic compared to the traffic carried by primary sidewalks on the site.

**SIGN:** Any permanent or temporary device or representation visible from off the premises intended to advertise, identify or communicate information or to attract the attention of the public for any purpose, such as:

A. Any writing (including letter, word, or numeral), pictorial presentation (including illustration or decoration, outline, or figure, emblem, or any other figure of similar character) depicted in any medium including electronic or non-electronic, painted, projected, attached, lighted or unlighted.

B. Any attention-attracting object or device, such as a sculpture, balloon, streamer, strobe light, flag, banner or pennant, inflatable structure, laser or other projection of images or words, electronic screens or panels.

C. Any front or back-lighted architectural feature such as a lighted awning, canopy, roof or fascia.

D. Included in this definition of a sign are:

1. **ABANDONED OR CEASED NONCONFORMING SIGN:** An abandoned sign that does not conform to the standards of this ordinance.
2. **ABANDONED SIGN:** A legal or legal nonconforming sign that identifies a business, lessor, owner, product, service, or activity that was, but has not been available for a period of more than three (3) months on the premises where the sign is displayed
3. **ADDRESS SIGN:** A sign consisting of numerals and/or letters identifying a property address.
4. **ADVERTISING COPY:** Any writing, letter, word, or numeral, pictorial presentation, illustration, decoration, outline, figure or emblem used to communicate a commercial or non-commercial message.
5. **ADVERTISING SIGN:** A sign that includes advertising copy or graphics.
6. **AWNING SIGN:** A sign that is printed, painted, or affixed to an awning or any awning with or without advertising copy that is directly illuminated for the purpose of attracting attention.

7. **CIVIC SIGN:** A sign by the Community intended to provide direction to, advertise or support civic and cultural programs, certain areas within the Community, to provide a public service message or similar.
8. **BANNER SIGN:** A sign that is painted or displayed upon cloth or other flexible material.
9. **BILLBOARD:** See OUTDOOR ADVERTISING SIGN.
10. **BOUTIQUE DIRECTIONAL SIGN:** A temporary sign used to direct traffic to an in-home boutique.
11. **BUILDING-MOUNTED SIGN:** A sign that is directly attached to the walls or appurtenant structures or elements of a building.
12. **CHANGE PANEL SIGN:** A sign with changeable sign copy.
13. **CONSTRUCTION SIGN:** A sign identifying the location and parties included in a construction project that has been granted a building permit and is under construction.
14. **DIRECTIONAL SIGN:** A sign that offers pertinent directional information for the purpose of assisting in the flow of vehicular or pedestrian traffic.
15. **DIRECTORY SIGN** A sign providing information about uses within a building, complex, or multi-tenant development.
16. **DIGITAL SIGN:** Any sign that changes the static message or copy on a sign by electronic means or incorporates digital message technology that allows the copy or message to be changed.
17. **DOUBLE SIDED SIGN:** A sign displaying the exact same message on both of two faces that are parallel back to back or on a sign constructed in the form of a “V” as viewed from the top, provided the internal angle at the apex is not more than 45 degrees and the two faces are not separated at the apex by more than one foot.
18. **ELECTRONIC MESSAGE BOARD:** See DIGITAL SIGN.
19. **FLAG:** A sign made of material secured on one side from a flagpole such that the sign material hangs when not set in motion by the movement of air. Examples include State flag, United States flag, corporate flags, flags of nations, flags displaying a business name, trademark, or logo, and decorative flags or similar.
20. **FLAG SIGN:** Flags containing advertising copy or displayed and used to attract attention.
21. **FREESTANDING SIGN:** A sign erected or mounted on its own self-supporting permanent structure or base detached from any supporting elements of a building or other structure.
22. **FREEWAY PYLON SIGN:** A freestanding sign located on a parcel adjacent and directed to motorists driving on a freeway.
23. **FUTURE DEVELOPMENT SIGN:** A sign announcing the proposed development of the property on which it is located prior to and during the construction of the development.
24. **HOLIDAY DECORATIONS:** Any decorative lighting, bunting, wreaths, laurels, trees, caricatures, and other objects that pertain to a specific traditionally accepted civic, patriotic or religious holiday. This definition does not include balloons or flotation devices.
25. **ILLEGAL SIGN:** Any sign, requiring a permit or permitted without a permit that is erected, installed, displayed or maintained contrary to the regulations of this ordinance.
26. **ILLUMINATED SIGN:** A sign whose surface is lighted by internal or external means. Illuminated signs emit light directly or from a source within the sign through transparent or translucent material or reflect light from a source intentionally directed upon it.
27. **INFLATABLE SIGN:** Any object filled with gas or air used as a sign.
28. **INTERNAL SIGN:** A sign within a non-residential development that is located along a pedestrian way or traffic lane or drive-through.
29. **INTERMITTENT OR FLASHING SIGN:** A sign with any part that changes to give two (2) or more visual effects, or that alternates between lit and unlit or with varying light intensity.
30. **LEAD-IN SIGN:** A temporary portable sign used to direct pedestrian or vehicular traffic to a home (or residential unit) that is for sale or rent.
31. **MARQUEE SIGN:** A permanent sign mounted over an entry or on a freestanding structure that contains changeable advertising copy, such as the names of plays, movies, entertainment or events available at the related business. A marquee sign may utilize changeable letters or electronic panels to change the message related to the change in events within the structure or on the site where the sign is mounted.
32. **MODIFIER:** A sign that is ancillary to the primary sign and has the purpose of identifying services or products (e.g. eyewear, fashion, tires) or a sign that identifies a sub-tenant

business located within the building or primary tenant space (e.g. Primary Sign: Safeway; Modifiers: Starbucks, US Bank).

33. **MENU BOARD SIGN:** A permanently mounted sign advertising the bill of fare for a restaurant.
34. **MULTI-TENANT SIGN:** A sign that includes identification and/or advertising copy from two (2) or more businesses, places, organizations, buildings or persons.
35. **OBSOLETE SIGN:** A sign that directs attention to a business, product, commodity, service, entertainment, or attraction that has ceased or has been discontinued for a period of at least three (3) months.
36. **OFF-PREMISE / OFFSITE SIGN:** A sign that directs attention to or communicates information about a product, commodity, service, entertainment or attraction offered by a specific business that is conducted, sold or offered at a location other than the premises on which the sign is located. Off-premise signs do not advertise other than for the related specific business or businesses. Signs displaying noncommercial speech or advertising civic events or public notices are excluded from this definition. Legal billboards are not off-premise signs.
37. **ON-SITE SIGN or ON-PREMISE SIGN:** A sign that directs attention to a business, product, commodity, service, entertainment or attraction sold, offered or existing upon the same property where such sign is displayed. Any sign displaying noncommercial speech or notice of a civic event or public notice, whether on the same site or on another location, are on-premises signs.
38. **OUTDOOR ADVERTISING SIGN:** Any (static or digital) sign or structure which is designed and maintained for the purpose of soliciting public support, or directing public attention to the sale, lease, hire or use of any object, product, service or function, the sale, hiring, or use of which is not involved in the primary or principal use of the parcel upon which such sign structure is located. “Billboard” shall have the same meaning as Outdoor Advertising Sign. Outdoor Advertising Sign does not mean or include signs regulated by the Zoning Ordinance.
39. **PERMANENT SIGN:** A sign that is affixed to any building or ground-mounted structure as a permanent fixture.
40. **PERMITTED SPECIAL EVENT SIGN:** Banners and other signs displayed and allowed as part of a permitted special event.
41. **POLITICAL SIGN:** A temporary sign used to advertise the candidacy of an individual or ballot proposition or to encourage citizens to vote and are related to elections in which members of the SRP-MIC are permitted to vote.
42. **PORTABLE SIGN:** Any sign that is not permanently affixed to any structure on a site or permanently ground mounted. Typical configurations include temporary sandwich, A-frame, easel, and pedestalled post signs.
43. **PROJECTING SIGN:** A sign mounted to the façade of a building and extending from the building façade.
44. **PUMP-TOPPER SIGN:** A sign affixed to the top or sides of an operable fuel dispensing pump.
45. **REAL ESTATE SIGN:** A temporary sign mounted on the ground or on a building advertising the sale, lease or rent of the premises on which it is located.
46. **ROADSIDE MEMORIAL** means the same as cemetery headstone/marker, except that such signs are located along street frontages and/or in Community right-of-way typically in the vicinity of where the memorialized person died.
47. **ROOF-MOUNTED SIGN:** A sign that is mounted on or above the plane of the roof or that projects above the parapet or roof eve of a building.
48. **SALE, LEASE OR RENT SIGN:** A temporary sign used to advertise the availability of real property on which it is located.
49. **SERVICE STATION SIGN:** A permanently-mounted sign with static changeable copy used to display the retail cost of motor vehicle fuel, electrical recharging or other fuel sold on the premises.
50. **SIGN FACE:** The extreme limits of the sign copy (advertising message, announcement, declaration, display, illustration, insignia, or logo) together with any other material, color, condition or surface that forms a background to the display and is used to differentiate such area from the wall or background against which it is displayed.
51. **SIGN PLAN:** A detailed description, including, but not limited to, design, type, size, color, lighting, and location of all signage and sign structures as part of a comprehensive program for a particular development.

52. **SOFFIT SIGN:** A sign that is suspended from the underside of a lintel, arch or other overhead spanning member.
53. **SPECIAL EVENT SIGN:** Temporary Signs displayed for any type of event that is unlike the customary or usual activities generally associated with the property where the event is located. Examples of events include an anniversary sale, special sale, change in ownership or management, grand opening, going out of business or similar event.
54. **TEMPORARY SIGN:** A sign related to and displayed before and/or during a specific event, circumstance, or situation intended or expected to take place or be completed within a reasonably short or defined timeframe. Signs permanently displayed with messages subject to periodic changes are not temporary signs.
55. **UNAUTHORIZED SIGN:** A sign that is illegally displayed in the Community.
56. **WALL MOUNTED SIGN:** A sign that is permanently affixed to any exterior wall, fascia or parapet or other vertical element of a building and including signs mounted flush and parallel to the wall, or perpendicular and/or projecting from the wall.
57. **WAY FINDING SIGN:** An approved on or off premises sign that directs traffic to a specific location or locations within the SRP-MIC.
58. **WINDOW SIGN:** A sign placed in a window in an exterior wall of a building or within five (5) feet of a window on an exterior wall of a building and readable by persons outside of the building.

**SIGN AREA, AGGREGATE:** The sum of the areas of all signs of specified type(s) or on a specified location for a specific property or tenant space.

**SIGN AREA:** The sum of the areas of the smallest parallelograms, triangles and/or trapezoids that enclose all components of a sign face.

**SIGN HEIGHT:** The vertical distance between the highest point of the sign structure and the natural grade.

**SIGN PLAN, COMPREHENSIVE:** A specific set of design standards established to unify a variety of signs associated with a development such as architectural style, incorporation of cultural elements, types, fonts, sizes, heights, colors, materials, method of illumination, and locational distribution.

**SIGN WALKER:** A person displaying signs and/or wearing a costume or similar for the purpose of getting the attention of passing traffic and directing them to a place of business or advertising a product or service.

**SINGLE FAMILY DWELLING:** An individual detached building designed and used as a dwelling for the occupancy of one household.

**SITE AREA, GROSS:** The total amount of acreage in a development, measured in a horizontal plane, and including any public or private streets or easements or other areas dedicated for public use.

**SITE AREA, NET:** The total amount of acreage in a development, measured in a horizontal plane, and excluding any internal public or private streets or easements or other areas to be dedicated for public use.

**SITE PLAN:** A plan view map drawn to scale that illustrates the pertinent features and dimensions of a development proposal for the subject property and includes, but is not limited to, uses, building footprints and square footage, landscape areas, plazas, open space, pedestrian and vehicular circulation, parking, site access, service areas, drainage facilities and other above ground utilities and the relationship of the proposed development to existing and planned surrounding development.

**SLAUGHTERING OF ANIMALS COMMERCIALLY:** Killing animals and selling the meat or other animal products. Does not include killing of animals for personal or family consumption.

**SOLID WASTE:** Any garbage, refuse, sludge from a waste treatment plant, water supply treatment plant, or air pollution control facility and other discarded or released material, including solid, liquid, semisolid, or contained gaseous material resulting from Community, residential, industrial, commercial, mining, and agricultural operations from activities within or outside the Community, but does not include solid or dissolved material in domestic sewage, or solid or dissolved materials in irrigation return flows or industrial discharges that are point sources subject to permits under Section 1342 of title 33, or source, special nuclear, or byproduct material as defined by the Atomic Energy Act of 1954, as amended (42 U.S.C. 2011 et seq.) and legal requirements. Solid waste includes litter,

hazardous waste, and discarded or released asbestos, polychlorinated biphenyls, petroleum, and hazardous substances. Solid waste in combination with other materials, including unexcavated or excavated soils, is also a solid waste.

**SPECIAL USE PERMIT (SUP):** A permit issued by the SRP-MIC Community Development Department that authorizes temporary events or activities to be staged and carried out in the approved location subject to the terms and conditions of the approved permit.

**SPORTS FIELDS, SPORTS COURTS (COMMERCIAL):** A hardscape or field, where such games as basketball, volleyball, field hockey, soccer, football, tennis, pickle ball and various other games and activities are played typically for profit and spectator amusement. These may be characterized by elements such as outdoor lighting that exceeds standard parking lot level lighting, netting, goal posts, amplified noise, spectator parking and peak traffic volumes around start and end game times.

**SRP-MIC:** See SALT RIVER PIMA-MARICOPA INDIAN COMMUNITY.

**STORM WATER DETENTION:** Surface facilities designed as part of the storm water collection system to receive storm water runoff, to filter pollutants to improve water quality (removal of silt and sediment-associated pollutants), and to release the storm water from large event systems at a predetermined rate into an off-site drainage system. Storm water runoff from small storms are retained and either infiltrate into the soil or are trans-evaporated by vegetation. The rate at which water is discharged is typically set at historic rate of run-off before development that is slower than that after development, hence the storm water run-off into the offsite drainage system is slowed or is "detained." Ideally storm water detention facilities are incorporated into areas serving other primary functions, including, but not limited to, open space, recreation areas, parking areas, streetscape, building base areas or landscaped areas.

**STORM WATER RETENTION:** Surface and subsurface facilities designed as part of the storm water collection system that holds (retains) storm water, filters pollutants to improve water quality and recharges the water into groundwater and/or is disbursed through trans-evaporation from plants, etc. the water is not discharged from the site so is "retained."

**STORY:** A habitable portion of a building between the surface of any floor and the surface of the floor next above, or if there be no floor above then the space between such floor and the ceiling or roof above. See MEZZANINE.

**STREET FRONTAGE:** The side of a property that abuts a street or the side of a building that is adjacent to and most visible from a street. The property or building located at an intersection of two (2) streets would be considered as having street frontage on both streets.

**STREET.** Any vehicular way that: 1) is an existing state, county, federal, or Community roadway; 2) is shown on an approved plat, lease, or development plan approved pursuant to law; or, 3) is approved by other official action such as an approved development plan. Unless otherwise indicated, the term "street" includes arterial, collector, urban, rural and local streets, roadways, freeways and highways and includes both public and private streets whether in a right-of-way or not. Streets are classified as listed in the Community's Transportation Plan as amended, or as in the case of some private streets classified as determined by the Zoning Administrator.

**STREETSCAPE:** The area not improved for vehicular use within the typical right-of-way (based on the street's classification, whether or not a dedicated right-of-way exists), plus the area within the landscape setback on the abutting property and all visible improvements within this area, such as landscaping (materials and plants), sidewalks, street furniture, light poles and fixtures, permitted signs and portions of utilities visible to the public, grading and drainage facilities.

**STRUCTURE:** Anything constructed or built, any edifice or building of any kind, or any piece of work artificially built up or composed of parts together in some definite manner that requires a location on the ground or is attached to something located on the ground.

**STUDIO FOR TEACHING ARTS, DANCE, MARTIAL ARTS, MUSIC, YOGA, ETC.:** Facilities providing indoor space for Individual or group instruction or training or production by an individual or group of artists and may involve one or a variety of topics. Examples include the arts, production rehearsal, photography and the processing of photographs produced only by users of the studio facilities;, martial arts;, gymnastics, aerobics with no other fitness facilities or equipment;, production for musicians, painters, sculptors, photographers, basketry, pottery, and other arts or crafts.

**SWAP MEET:** See FLEA MARKET.

# T

**TANDEM PARKING:** Parking spaces arranged one behind the other where ingress and egress of one or more parking spaces is through another parking space.

**TEMPORARY USE:** See USE – TEMPORARY

**TENANT SPACE:** Contiguous floor area within a building, or enclosed by walls, or otherwise defined that is controlled by a particular person or business.

**TEXT AMENDMENT:** Change to the Zoning Ordinance.

**THERAPEUTIC MASSAGE:** A service performed by a qualified therapist or masseuse applying specific techniques of manipulation of muscles, connective and soft tissues (as by rubbing, kneading, or tapping) with the hand or an instrument for restorative purposes.

**THOROUGHFARE:** An improved access way for vehicular, pedestrian and bicycle traffic that incorporates vehicular lanes and sidewalks or paths depending upon the development standards for its type and function.

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

**TRANSIENT:** A person who requests lodging accommodations for a period typically thirty (30) days or less.

**TRANSPORTATION PLAN:** The Transportation Plan of the SRP-MIC government.

**TRIBAL LAND:** Land owned by the SRP-MIC government.

**TRUCK STOP / TRUCK FUEL SALES:** A facility that serves heavy commercial trucks, providing fuel and typically including café and/or convenience store, and may include accessory uses such as shower facilities and may accommodate overnight parking of occupied vehicles.

# U

**URBAN DISTRIBUTION CENTER (PRODUCT FULFILLMENT CENTER):** Direct-to-consumer order fulfillment warehouse where products are stored for short periods of time for delivery to an end consumer. Distinguished from a Distribution Center and Warehouse by intensity of traffic with deliveries typically by medium-duty trucks and vans rather than heavy-duty trucks.

**URGENT CARE FACILITY:** A licensed medical treatment facility staffed, equipped and specializing in providing acute care of patients who arrive without prior appointment, by their own means, usually with a non-life-threatening condition that requires medical assessment. Urgent care facilities treat less severe medical problems that do not require the advanced services found at emergency centers or hospitals.

**USE:** The purpose for which land, facilities, improvements or a building is arranged, designed or intended, or for which all or part of a building or site is occupied or maintained, or any activity, occupation, business or operation carried out in a building or structure or on a site, parcel, or lot.

**USE, ABANDONMENT OF:** Relinquishment of a property, or the cessation of a use or activity by the owner or tenant, excluding temporary or short term interruptions for the purpose of remodeling, maintaining or otherwise improving or rearranging a facility. A use is deemed abandoned when it is suspended as evidenced by cessation of activities or conditions that constitute the use of the property as determined by the CDD Director.

**USE, CHANGE OF:** A use is deemed changed when the principal use of all or part of a building or site is replaced by a different principal use as specified in Chapter 4, or the site is rezoned, a conditional use permit or a use variance is granted, or there is an increase in the intensity or extent of an existing use.

**USE, ESTABLISHMENT OF:** For the purpose of enforcement of this ordinance, the commencement of activities or conditions that constitute a use as specified in Chapter 4 for which all or any part of a building or site is occupied.

**USE, LEGAL NONCONFORMING:** A use that is not currently permitted in the applicable zoning district but was legal when it was established.

**USE, PRINCIPAL:** A use that is conducted or may be operated independently of other uses, may be part of a mix of uses, but is not dependent upon other uses for its operation, may be supportive of another use, but is not operated solely as an accessory to that use. There may be one or multiple principal uses within a building or on a site.

**USE, SEASONAL:** Use of a site or building for use permitted in or compatible with the applicable zoning district and that occurs continuously or intermittently during a specified timeframe within the year as approved by the SRP-MIC.

**USE, TEMPORARY:** Use of a site or building that is conducted intermittently or continuously over a period of typically less than ninety (90) consecutive calendar days, typically with no permanent improvements specifically related to the use remaining on the site upon termination, as approved by the SRP-MIC.

**UTILITY CORRIDOR:** An area designated by easement, right-of-way, map or other means identifying a geographic location for the purpose of installing and maintaining utilities subject to applicable conditions, standards or time limitations.

# V

**VARIANCE, DIMENSIONAL:** Permission granted by the Community Council after a Community hearing for an adjustment in the application of the specific dimensional standards and regulations of the zoning ordinance on a particular property, typically when, because of special or unique circumstances applicable to it, the property user is deprived of privileges commonly enjoyed by other users of other properties in the same zoning district and which adjustment remedies the disparity in privileges.

**VARIANCE, USE:** Permission granted by the Community Council after a Community hearing to establish a particular land use in a specific location that is otherwise not permitted in the subject location by this zoning ordinance. A use variance is site specific and applies to a specific use; it does not rezone the subject property or allow the permitted use in any other location within the zoning district.

**VENDING:** Any activity by any person that involves the display, sale, offering for sale, or offering to give away, anything of value including food, beverage, goods, wares, merchandise, or services not part of or offered by a permanent business on the same site.

**VENDING MACHINES:** Automated or self-service dispensers of merchandise, services or information, including, but not limited to, automatic teller machines, soda or candy machines, and newspaper or magazine dispensers.

**VENDOR:** A person with a current SRP-MIC business and sales tax license issued for the purpose of vending within the Community.

**VETERINARY CLINIC:** A facility used by one or more licensed veterinarians to provide medical services to household pets (e.g., dogs, cats, rabbits, iguanas, etc.). The services typically include medical examinations and diagnosis, dispensing of medications, surgical and non-surgical procedures, and general medical care for the well-being of the animals. This classification allows overnight accommodation only for animals receiving medical care or supervised recuperation from medical and surgical procedures.

**VISUAL OBSTRUCTION:** Any combination of fencing, hedges, trees, shrubs or wall individually or in any combination that limits visibility for a width of more than one foot in areas required to be clear of obstructions between two (2) feet and seven (7) feet above the ground, measured in a vertical plane.

**VOCATIONAL, TECHNICAL AND TRADE SCHOOLS, AGRICULTURAL-RELATED:** Schools Established to provide teaching of agricultural-related subjects to adult students and which require direct use of agricultural fields or equipment on the Community as part of the teaching.

**VOCATIONAL, TECHNICAL AND TRADE SCHOOLS:** Schools established to provide teaching of clerical, managerial, vocational, technical, trade or artistic skills for adult students. Does not include schools primarily serving students of junior or high school age in lieu of junior or high school.

# W

**WALL, SCREENING:** A solid wall designed and constructed so as to conceal areas of low visual quality from street and public view and to separate potentially incompatible land uses. Areas of low visual quality include, but are not limited to, refuse containers, mechanical equipment, parking lots, drive-through lanes, service and loading bays, outdoor storage and work areas.

**WALL:** Any structure or device forming a physical barrier that is so constructed that the vertical surface is closed and prevents the direct passage of light through the surface. This includes, concrete block, metal, wood or other approved architectural materials suitable for the use.

**WAREHOUSE:** An establishment that is engaged in the storage of materials equipment or products. Warehouses are typically static spaces with few employees and storage for a longer period of times. Distinguished from Product Distribution uses by less truck and vehicular activity.

**WHOLESALING IN CONJUNCTION WITH A PERMITTED USE:** Selling merchandise to others for resale, including to retailers, contractors, industries, commercial establishments, institutions, farms, or professional businesses, other wholesalers, or acting as agents or brokers in buying merchandise for or sale to those persons or companies. Wholesale-to-the public stores are considered commercial retail uses for the purposes of this ordinance.

**WORKER HOUSING - AGRICULTURAL:** Housing for employees of an active farming operation.

# X

# Y

**YARD:** Any open space other than a court on the same lot with a building, which space is unoccupied and unobstructed by buildings from the ground upward to the sky except for the projecting and/or accessory buildings permitted by this Ordinance.

**YARD, FRONT:** A yard between the front line of a building and the front boundary line of the property on which the building is situated.

**YARD, SIDE:** A yard extending from the front yard to the rear yard or from the front boundary line of the property to the rear boundary of the property between the side boundary of the property and the nearest wall of a primary building or attached/detached accessory building.

**YARD, REAR:** A yard between the rear line of a building and the rear boundary line of the property on which the building is situated.

# Z

**ZONING :** The laws and regulations governing the use of specific real estate for specific purposes, used by the Community government to implement community plans or goals;, facilitate the efficient provision of infrastructure;, ensure compatibility between land uses and to establish standards of development to benefit the health safety and welfare of the community, protect property values, limit congestion and ensure access to light and air and other purposes as described in the adopted ordinance.

**ZONING ADMINISTRATOR:** The SRP-MIC government CDD Director or designee authorized to perform or delegate the duties of the Zoning Administrator.

**ZONING DISTRICT:** A set of regulations establishing use, height, bulk, setback and other standards and regulations that apply to a geographic area or areas of the Community as depicted on the zoning map.

**ZONING MAP or OFFICIAL ZONING MAP:** A map that depicts the geographic locations of the various zoning districts as approved by the Community Council and as amended based on records of the Community.

**ZONING ORDINANCE:** The legislation and amendments thereto that are adopted by the Community Council establishing zoning with the Community including the Official Zoning Map.

**ZOO, WILDLIFE EXHIBITS:** An establishment for preserving animals in an outdoor and partially indoor environment for public display and public education purposes. Accessory uses include veterinary facilities for the care of the resident animals, educational facilities, visitor center, gift shop, book store, and restaurant.

# Exhibits

## *Exhibit A: Official Zoning Map of the SRP-MIC*