ORDINANCE NO. O23-60

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AMENDING THE ZONING ORDINANCE OF THE CITY OF GLENDALE, ARIZONA, BY APPROVING ZONING TEXT AMENDMENT ZTA23-02 AMENDING THE ZONING ORDINANCE AS FOLLOWS: ENACTING A UNIFIED DEVELOPMENT CODE THAT REPLACES THE EXISTING ZONING ORDINANCE IN ITS ENTIRETY; PROVIDING FOR SEVERABILITY, SETTING FORTH AN EFFECTIVE DATE; AND ORDERING THAT A CERTIFIED COPY OF THIS ORDINANCE IS RECORDED.

WHEREAS, the City of Glendale Planning Commission held a public hearing on November 9, 2023 in zoning text amendment case ZTA23-02 in the manner prescribed by law for the purpose of replacing the 1993 Zoning Ordinance with a Unified Development Code; and

WHEREAS, due and proper notice of such public hearing was given in the time, form, substance and manner provided by law, including publication of such notice in *The Arizona Republic* on October 18, 2023; and

WHEREAS, the City of Glendale Planning Commission has recommended to the mayor and the council approval of the zoning text amendment, and the mayor and the council desire to accept such recommendation and replace the 1993 Zoning Ordinance with the Unified Development Code (UDC).

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GLENDALE as follows:

SECTION 1. That the 1993 Zoning Ordinance of the City of Glendale, Arizona, is replaced with the Unified Development Code (UDC), which is attached as Exhibit A.

SECTION 2. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the ordinance.

SECTION 3. That the provisions of this ordinance shall become effective thirty (30) days after passage of this ordinance by the Glendale City Council.

SECTION 4. The City Clerk is instructed and authorized to forward a certified copy of this ordinance for recording to the Maricopa County Recorder's Office.

[Signatures on the following page]

PASSED, ADOPTED AND APPROVED by the Mayor and Council of the City of Glendale, Maricopa County, Arizona, this 12th day of December, 2023.

Mayor Jerry P. Weiers

ATTEST:

Julie K. Bower, City Clerk

APPROVED AS TO FORM:

Michael D. Bailey, City Attorney

REVIEWED BY:

Kevin R. Phelps, City Manager

Exhibit A

Glendale
ARIZONA

UNIFIED DEVELOPMENT CODE

-- PUBLIC HEARING –

12/12/2023

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ARTICLE 1 - GENERAL PROVISIONS

35.1.000 TITLE

The ordinance shall be known and may be cited as the “Unified Development Code” or the "UDC of the City of Glendale, Arizona" Within the ordinance text, it shall be cited as “this Code”, “this UDC”, or "this Ordinance".

35.1.100 AUTHORITY AND PURPOSE

35.1.101 Authority

This ordinance is adopted pursuant to the authority contained in Section 9-462.01 et seq., of the Arizona Revised Statutes in order to conserve and promote the public health, safety and general welfare.

35.1.102 Purpose

The purpose of this ordinance is to establish land use classifications dividing the city into various zoning districts; provide regulations, prohibitions and restrictions for the promotion of health, safety, convenience, aesthetics and welfare; govern the use of land for residential, commercial, office, industrial and all other uses; regulate and limit the height and bulk of buildings and other structures; limit the use and size of yards and open spaces; establish performance and design standards; establish boards and commissions and define the powers and duties of each; provide procedures for changing zoning districts and the standards which govern those districts, use permits, variances and all other permits required by this UDC; prescribe penalties for violations of the ordinance and repeal all ordinances in conflict therewith.

35.1.103 Jurisdiction

This ordinance shall be effective within the incorporated boundaries of the City of Glendale.

35.1.104 Repealer and Severability

A. Ordinance No. 243 New Series and all subsequent amendments to Ordinance No. 243 are repealed. Ordinance No. 184 New Series, creating and establishing the Glendale Zoning and Planning Commission, is repealed. Ordinance No. 1407 New Series, creating mobile home parks and mobile home subdivisions is repealed. This ordinance amends and revises all zoning laws, regulations, procedures and restrictions. Whenever any provision of this ordinance refers to or cites a section of the Arizona Revised Statutes and that section is later amended or superseded, the ordinance shall be deemed amended to refer to the amended section or section that most nearly corresponds to the superseded section of the Arizona Revised Statutes.

B. The provisions of this ordinance, insofar as they are substantially the same as the provisions of ordinances repealed in Subsection A of this section, shall be construed as restatements and continuations thereof and not as new enactments. The repeal of an ordinance listed in Subsection A of this section shall not affect any punishment or penalty incurred before the ordinance was repealed, nor any suit, prosecution or enforcement proceeding pending at the time of the repeal for a violation of the ordinance repealed.

C. It is declared that the sections, paragraphs, sentences, clauses and phrases of this ordinance are severable, and if any such section, paragraph, sentence, clause or phrase is

declared unconstitutional or otherwise invalid by any court of competent jurisdiction in a valid judgment or decree, such unconstitutionality or invalidity shall not affect any of the remaining sections, paragraphs, sentences, clauses or phrases of this ordinance other than the part decided to be unconstitutional or invalid.

35.1.105 Conflict With Other Rules or Regulations

It is not intended by this ordinance to repeal, abrogate, annul or in any manner impair or interfere with existing provisions of other laws or ordinances, except those specifically repealed by this ordinance, or with private restrictions placed upon property by covenant, deed or other private agreement. Where this ordinance imposes a greater restriction on land, buildings or structures than is imposed or required by other existing provisions of law, ordinance, contract or deed, the provisions of this ordinance shall control. Where other laws, ordinances, or private restrictions are more restrictive, the City cannot enforce the more restrictive laws, ordinances, or private restrictions as a part of this UDC unless authorized by a specific section of this ordinance.

35.1.106 Relationship to General Plan

It is the intention of the City Council that this ordinance implement the planning policies adopted by the Planning Commission and City Council as reflected in the General Plan. The City Council affirms its commitment that this ordinance and any amendments will be in conformity with the adopted planning polices as expressed in the General Plan, specific area plans, and any amendments.

35.1.107 Relationship to Subdivision and Other Regulations

The UDC, along with other regulations of the City of Glendale, including the Subdivision and Minor Land Division Ordinance and Design Guidelines for Site Development and Infrastructure Construction, as amended, is a tool to implement the Glendale General Plan. In regulating future development or redevelopment within the City of Glendale, the requirements of the UDC shall be construed as minimum requirements.

35.1.108 Applicability

A. All buildings, structures and uses of land shall be subject to all provisions of this UDC. Any change to an existing building, structure or use of land, as manifested by a use which requires an increase in parking, change in occupancy, changes to the physical site including drainage or landscaping, additions or modifications to the building after the effective date of this UDC, or any amendment shall be subject to all provisions of this UDC.

B. A Planned Area Development (PAD), or Planned Residential Development (PRD) Plan, approved prior to this ordinance, will guide and control development uses permitted for such property.

C. Any use not described and included by this ordinance as being a permitted use, a use subject to supplemental use conditions, or a use subject to conditional use permit within a specific zoning district is prohibited within that zoning district, and is a violation of this ordinance unless otherwise stated herein.

ARTICLE 2 - ZONING DISTRICTS

This Section establishes the zoning districts applied to property within the City, determines how the zoning districts are applied on the Zoning Map, and identifies general permitted land uses and development standards for each zoning district.

35.2.000 ZONING DISTRICTS AND MAP ESTABLISHED

35.2.001 Zoning Districts Established

To classify and separate the uses of land, buildings, and structures for implementing the City of Glendale Unified Development Code, the City of Glendale is divided into the zoning and overlay districts listed below.

Table 2.001-1: Zoning Districts Established

Abbreviation	Zoning District	Legacy Zoning
Agricultural District		
A-1	Agricultural	
Rural/Suburban Residence Districts		
RR-45	Rural Residence-45	
SR-30	Suburban Residence-30	
SR-17	Suburban Residence-17	
SR-12	Suburban Residence-12	
Single Residence Districts		
R1-10	Single Residence-10	
R1-8	Single Residence-8	
R1-7	Single Residence-7	
R1-6	Single Residence-6	
R1-4	Single Residence-4	
Multiple Residence Districts		
R-2	Mixed Residence-2	
R-3	Multiple Residence-3	
R-4	Multiple Residence-4	
R-5	Multiple Residence-5	
Professional Office Districts		
R-O	Residential Office	
C-O	Commercial Office	
G-O	General Office	
Commercial Districts		
C-1	Neighborhood Commercial	NSC – Neighborhood Shopping Center
C-2	General Commercial	SC – Shopping Center, CSC – Community Shopping Center
C-3	Heavy Commercial	
PR	Pedestrian Retail	
Business/Industrial Districts		
B-P	Business Park	
M-1	Light Industrial	
M-2	Heavy Industrial	

Special Districts		
PAD	Planned Area Development	
SU	Special Use	
Overlay Districts		
PRD	Planned Residential Development	
ARO	Adaptive Reuse	
IDO	Infill Development	
AIO	Airport Impact	
MH	Mobile/Manufactured Home	
HP	Historic Preservation	
SCO	Senior Citizen	
GCO	Glendale Centerline	
SEC	Scenic Corridor	
SOC	Sonorita Community	

35.2.002 Map Established

A. The location and boundaries of the zoning districts established by this Code shall be designated upon the official "Zoning Map of the City of Glendale." The Zoning Map, together with all data shown on the map and all amendments hereafter adopted, is by reference made a part of this Code.

B. The Development Services Department shall keep as a digital file the original and all revised versions of the Official Zoning Map. The most recent approved iteration of the map shall be clearly labeled. A copy of the Official Zoning Map shall be available for inspection by the general public in the Development Services Department Office during normal business hours. Access to a digital Zoning Map shall satisfy this requirement.

1. Any changes to the official Zoning Map shall be considered an amendment to the official Zoning Map and filed in accordance with Section 35.6.207 of this Code.
2. The official Zoning Map may, from time to time, be republished to delineate any change of zoning approved pursuant to Section 35.6.207 of this Code or any other amendments thereto.

35.2.003 Boundary Determination

A. Where there is uncertainty with respect to the boundaries of any zoning district on the Official Zoning Map, the following rules shall apply:

1. Where district boundaries are indicated as approximately following streets or highway rights-of-way, the center line of such street or highway right-of-way shall be construed to be such boundaries;
2. Where district boundaries are so indicated that they approximately follow property lines, such lines shall be construed to be the boundary;
3. Where district boundaries are so indicated that they are approximately parallel to rights-of-way of streets or highways, such district boundaries shall be construed as being parallel thereto, and at such distance therefrom as indicated on the Official Zoning Map.

4. Such district boundary lines are intended to follow street, alley, lot, or property lines as the same exists at the time of passage of this ordinance, except where such district boundary lines are fixed by specific dimensions shown on the Official Zoning Map in which case such dimensions shall govern. In the event that a vacated street, alley, right-of-way, or easement was a boundary between two districts, the new zoning district boundaries shall be at the new property line, provided, however, that where such vacation does not involve the establishment of new property lines, the zone district boundary shall be fixed at a point along the center line of the vacated street, alley, right-of-way, or easement.

B. Where the application of the above rules do not clarify the zoning district boundary location the Development Services Director or designee shall make a decision with appeal to the Board of Adjustment.

35.2.100 AGRICULTURAL DISTRICT

35.2.101 Purpose Statement

Agricultural (A-1). The purpose of this district is to accommodate semi-rural or vacant lands, which may be suitable for interim agricultural uses and which may not require the full range of urban services. The district provides for agricultural uses, single-residences, public uses and multi-purpose arenas until transition to suburban or urban land uses in accordance with the General Plan.

35.2.102 Agricultural Use Standards

Table 2.100-1: Table of Allowed Uses for the Agricultural District, lists land uses and indicates whether they are permitted by right, as a conditional use, as a special use, or prohibited in each Zoning District. The Use Table also includes references to additional use-specific standards that may be applicable to that use. The organization headings and individual abbreviations utilized in the table are explained as follows:

A. Use Category

The “use categories” are intended merely as an organizational tool and are not regulatory. These use categories simply help to organize the list of “specific use types” into common groupings for ease of reference.

B. Specific Use Type

The “specific use types” are regulatory and function as the basis for defining present and future land uses that are appropriate in each zoning district. Rather than list every possible individual land use type, this list classifies individual land uses and activities into specific use types based on common functional, product or physical characteristics; such as the type and amount of activity, the type of customers or residents, and how goods or services are sold or delivered and site conditions. Further definitions of each specific use type can be found in Article 8 - Definitions.

C. Permitted Uses

“P” in a cell indicates that the use is allowed by right in that zoning district.

D. Conditional Uses

"C" in a cell indicates that the use is allowed in the respective zoning district only if reviewed and approved in accordance with the procedures of Section 35.6.208, Conditional Use Permits.

E. Special Uses

"SU" in a cell indicates the use shall require approval of a Special Use in accordance with 35.2.902, Special Use District.

F. Not Permitted

"X" in a cell indicates that the use is not permitted(is prohibited) in that zoning district.

G. Use-Specific Standards

Section numbers listed in the "Supplemental Use Regulations" column denote the location of additional regulations that are applicable to the specific use type; however, provisions in other sections of this Ordinance may also apply.

H. Non-Specified Uses

When a use cannot be reasonably classified into a specific use type, or appears to fit into multiple specific use types, the Development Services Director or designee is authorized to determine the most similar and thus most appropriate specific use type based on the actual or projected characteristics of the individual use or activity (including but not limited to size, scale, operating characteristics and external impacts) in relationship to the specific use type definitions provided in Article 8. Appeal of the Director's decision may be made to the Board of Adjustment following the procedures under Section 35.6.209.

Table 2.100-1: Table Of Allowed Uses for Agricultural District

Specific Use Type	P = Permitted Use C = Conditional Use X = Prohibited SU = Special Use District **Agricultural Zoning District**	
	A-1	**Supplemental Use Regulations**
Agriculture Use Category		
Agriculture, General	P	
Agriculture, Intensive Operation	C	
Agriculture, Stables	P	Sec. 35.3.101.A
Agritainment	C	Sec. 35.3.101.B
Residential Use Category		
Dwelling, Single-Family Detached	P	Sec. 35.3.102.A
Dwelling, Modular Home	P	Sec. 35.3.102.D
Residential Care Home	P	Sec. 35.3.102.F
Short-term or Vacation Rental	P	
Public/Semi-Public Use Category		
Cemetery or Mausoleum	(requires SU)	Sec. 35.2.902
Community Playfields and Parks	P	

Table 2.100-1: Table Of Allowed Uses for Agricultural District		
Specific Use Type	P = Permitted Use C = Conditional Use X = Prohibited SU = Special Use District **Agricultural Zoning District**	
	A-1	**Supplemental Use Regulations**
Golf Course	(requires SU)	Sec. 35.2.902
Government Offices and Civic Buildings	P	
Place of Worship	P	Sec. 35.3.105.A
Utility Facility and Service Yard, Major	(requires SU)	Sec. 35.2.902
Utility Facility, Minor	P	
Wireless Facility (Including Tower and Supporting Facilities)	P	Sec. 35.3.105.D
General Commercial and Professional Office Use Category		
Commercial Entertainment, Outdoor	(requires SU)	Sec. 35.2.902
Animal Supply and Feed Store	P	Sec. 35.3.103.B
Hotels, Resort	(requires SU)	Sec. 35.2.902
Industrial Use Category		
Broadcast Tower	(requires SU)	Sec. 35.2.902
Helistops or Heliports	(requires SU)	Sec. 35.2.902
Resource Extraction and Processing	(requires SU)	Sec. 35.2.902

35.2.103 Agricultural District Development Standards

The following development standards identified in Table 2.100-2 apply to all principal uses and structures in the Agricultural District, except as otherwise expressly stated in this Code. General exceptions to these regulations and rules for measuring compliance can be found in Article 8. Regulations governing accessory uses and structures can be found in Section 35.3.200.

Table 2.100-2: Agricultural District Development Standards							
Zoning District	**Lot Dimensions, minimum**		**Setbacks** [3]			**Lot Coverage, maximum (%)**[4]	**Building Height, maximum (feet)** [2]
	Net Lot Area (acres)	Lot Width (feet) [1]	Front (feet)	Side (feet)	Rear (feet)		
A-1	40	N/A	75	50	50	10	30

NOTES:

[1] Lot width is measured at front setback

[2] Two story maximum

[3] Parcels zoned A-1 and established after December 16, 1960 and prior to September 13, 1983 that do not meet the minimum lot area shall adhere to the following setbacks:

- *Front yard:* A depth not less than established by the main building on the nearest lot within one-hundred feet. On a lot that is not within one hundred (100) feet of a lot with an established front yard, the front yard shall not be less than twenty (20) feet.
- *Side yard for interior lots:* two (2) side yards, One side not less than seven (7) feet except on a lot with no access to alley, then it shall be five (5) feet on one side and ten (10) feet on the other.

Table 2.100-2: Agricultural District Development Standards							
Zoning District	**Lot Dimensions, minimum**		**Setbacks** [3]			**Lot Coverage, maximum (%)**[4]	**Building Height, maximum (feet)** [2]
	Net Lot Area (acres)	Lot Width (feet) [1]	Front (feet)	Side (feet)	Rear (feet)		

- *Side yard for corner lots:* a ten (10) foot side yard shall be maintained on the street side of the lot, and five (5) feet for the other side.
- *Rear yard:* A minimum of fifteen (15) feet.

Parcels zoned A-1 and established after September 13, 1983 and prior to July 23, 1993 that do not meet the minimum lot area shall adhere to the following setbacks:

- *Front yard:* A depth not less than established by the main building on the nearest lot within one-hundred feet. On a lot that is not within one hundred (100) feet of a lot with an established front yard, the front yard shall not be less than twenty-five (25) feet.
- *Side yard for interior lots:* two (2) side yards, One side not less than fifteen (15) feet in width.
- *Rear yard:* A minimum of twenty-five (25) feet.

[4] Parcels zoned A-1 and established after December 16, 1960 and prior to September 13, 1983 are allowed a maximum 40% lot coverage. Parcels zoned A-1 and established after September 13, 1983 and prior to July 23, 1993 are allowed a maximum 20% lot coverage.

A. Additional Development Standards

1. Accessory Uses, Buildings and Structures - See Section 35.3.200 Establishing Accessory Uses, Buildings, And Structures for additional development and design regulations.
2. Parking and loading requirements – See Section 35.4.000 Off-Street Parking and Loading for additional development and design regulations.
3. Landscaping and Screening requirements – See Section 35.4.100 Landscaping and 35.4.200 Screening, Walls, and Fences for additional development and design regulations.
4. Signage requirements – See Section 35.4.300 Signage for additional development and design regulations.
5. Exterior Lighting requirements – See Section 35.4.400 Outdoor Lighting for additional development and design regulations.
6. Further reference, as appropriate, should be given to the City of Glendale, Approved Building and Fire Codes, Subdivision Guidelines, and Engineering Design Standards.

35.2.200 RURAL/SUBURBAN RESIDENCE DISTRICTS

35.2.201 Purpose Statements

Rural Residence – 45 (RR-45). This district seeks to encourage and preserve very low-density residential uses in areas of the city that may not require the full range of urban services. The intent of these districts is to provide a rural character with liberal livestock and animal provisions. Non-residential land uses within the districts are limited in nature to maintain a rural residential character.

Suburban Residence – 30 (SR-30). This district seeks to encourage and preserve low density residential uses with a minimum lot size of 30,000 square feet. The intent of these districts is also to reduce land use conflicts between urban and agriculture by providing a transition in intensity between rural and urban residential uses. Nonresidential land uses within the districts are limited in nature to maintain a residential character.

Suburban Residence – 17 (SR-17). This district seeks to encourage and preserve low density residential uses with a minimum lot size of 17,000 square feet. The intent of these districts is also to reduce land use conflicts between urban and agriculture by providing a transition in intensity between rural and urban residential uses. Nonresidential land uses within the districts are limited in nature to maintain a residential character.

Suburban Residence – 12 (SR-12). This district seeks to encourage and preserve low density residential uses with a minimum lot size of 12,000 square feet. The intent of these districts is also to reduce land use conflicts between urban and agriculture by providing a transition in intensity between rural and urban residential uses. Nonresidential land uses within the districts are limited in nature to maintain a residential character.

35.2.202 Rural/Suburban Residence Districts Use Standards

Table 2.200-1: Table of Allowed Uses for the Rural/Suburban Districts, lists land uses and indicates whether they are permitted by right or with approval of a conditional use permit, or prohibited in each Zoning District. The Use Table also includes references to additional use-specific standards that may be applicable to that use. The organization headings and individual abbreviations utilized in the table are explained as follows:

A. Use Category

The "use categories" are intended merely as an organizational tool and are not regulatory. These use categories simply help to organize the list of "specific use types" into common groupings for ease of reference.

B. Specific Use Type

The "specific use types" are regulatory and function as the basis for defining present and future land uses that are appropriate in each zoning district. Rather than list every possible individual land use type, this list classifies individual land uses and activities into specific use types based on common functional, product or physical characteristics; such as the type and amount of activity, the type of customers or residents, and how goods or services are sold or delivered and site conditions. Further definitions of each specific use type can be found in Article 8 - Definitions.

C. Permitted Uses

"P" in a cell indicates that the use is allowed by right in that zoning district.

D. Conditional Uses

"C" in a cell indicates that the use is allowed in the respective zoning district only if reviewed and approved in accordance with the procedures of Section 35.6.208, Conditional Use Permits.

E. Special Uses

"SU" in a cell indicates the use shall require approval of a Special Use in accordance with 35.2.902, Special Use District.

F. Not Permitted

"X" in a cell indicates that the use is not permitted (is prohibited) in that zoning district.

G. Use-Specific Standards

Section numbers listed in the "Supplemental Use Regulations" column denote the location of additional regulations that are applicable to the specific use type; however, provisions in other sections of this Ordinance may also apply.

H. Non-Specified Uses

When a use cannot be reasonably classified into a specific use type, or appears to fit into multiple specific use types, the Development Services Director or designee is authorized to determine the most similar and thus most appropriate specific use type based on the actual or projected characteristics of the individual use or activity (including but not limited to size, scale, operating characteristics and external impacts) in relationship to the specific use type definitions provided in Article 8. Appeal of the Director's decision may be made to the Board of Adjustment following the procedures under Section 35.6.209.

Table 2.200-1: Table Of Allowed Uses for Rural/Suburban Residence Districts

Specific Use Type	P = Permitted Use C = Conditional Use X = Prohibited SU = Special Use District **Rural/Suburban Residence Zoning Districts**				
	RR-45	**SR-30**	**SR-17**	**SR-12**	**Supplemental Use Regulations**
Agriculture Use Category					
Agriculture, General	P	X	X	X	
Agriculture, Stables	C	C	C	C	Sec. 35.3.101.A
Agritainment	C	X	X	X	Sec. 35.3.101.B
Urban Agriculture, Noncommercial	C	C	C	C	
Residential Use Category					
Bed & Breakfast	C	C	C	C	
Dwelling, Single-Family Detached	P	P	P	P	Sec. 35.3.102.A
Dwelling, Modular Home	P	P	P	P	Sec. 35.3.102.D
Model Home Complex	X	P	P	P	Sec. 35.3.102.G
Residential Care Home	P	P	P	P	Sec. 35.3.102.F
Short-term or Vacation Rental	P	P	P	P	
Public/Semi-Public Use Category					
Cemetery or Mausoleum	(requires SU)	(requires SU)	(requires SU)	(requires SU)	Sec. 35.2.902
Community Playfields and Parks	P	P	P	P	
Community Recreation Center	P	P	P	P	

Table 2.200-1: Table Of Allowed Uses for Rural/Suburban Residence Districts					
Specific Use Type	P = Permitted Use C = Conditional Use X = Prohibited SU = Special Use District **Rural/Suburban Residence Zoning Districts**				
	RR-45	**SR-30**	**SR-17**	**SR-12**	**Supplemental Use Regulations**
Country Club	P	P	P	P	
Golf Course	(requires SU)	(requires SU)	(requires SU)	(requires SU)	Sec. 35.2.902
Government Offices and Civic Buildings	P	P	P	P	
Place of Worship	P	P	P	P	Sec. 35.3.105.A
Private Schools, Colleges, and Universities; without Dormitories	C	C	C	C	Sec. 35.3.105.B
Utility Facility and Service Yard, Major	(requires SU)	(requires SU)	(requires SU)	(requires SU)	Sec. 35.2.902
Utility Facility, Minor	P	P	P	P	
Wireless Facility (Including Tower and Supporting Facilities)	P	P	P	P	Sec. 35.3.105.D
General Commercial and Professional Office Use Category					
Commercial Entertainment, Outdoor	(requires SU)	(requires SU)	(requires SU)	(requires SU)	Sec. 35.2.902
Hotels, Resort	(requires SU)	(requires SU)	(requires SU)	(requires SU)	Sec. 35.2.902
Industrial Use Category					
Broadcast Tower	(requires SU)	(requires SU)	(requires SU)	(requires SU)	Sec. 35.2.902
Helistops or Heliports	(requires SU)	(requires SU)	(requires SU)	(requires SU)	Sec. 35.2.902
Resource Extraction and Processing	(requires SU)	(requires SU)	(requires SU)	(requires SU)	Sec. 35.2.902

35.2.203 Rural/Suburban Residence Districts Development Standards

The following development standards identified in Table 2.200-2 apply to all principal uses and structures in rural/suburban residence districts, except as otherwise expressly stated in this Code. General exceptions to these regulations and rules for measuring compliance can be found

in Article 8. Regulations governing accessory uses and structures can be found in Section 35.3.200.

Table 2.200-2: Rural/Suburban Residence Districts Development Standards								
Zoning District	Lot Dimensions, minimum		Setbacks			Lot Coverage, maximum (%)	Building Height, maximum (feet)	Common Open Space, minimum (% of net common lot area)[2]
	Net Lot Area (square feet)	Lot Width (feet) [1]	Front (feet)	Side (feet)	Rear (feet)			
RR-45	45,000	125	40	25	40	20	30	30
SR-30	30,000	125	40	20	40	25	30	30
SR-17	17,000	110	25	15	30	30	30	30
SR-12	12,000	100	25	10	25	35	30	30

NOTES:
[1] Lot width is measured at front setback.
[2] Applicable to non-residential uses only.

A. Additional Development Standards

1. Accessory Uses, Buildings and Structures - See Section 35.3.200 Establishing Accessory Uses, Buildings, And Structures for additional development and design regulations.
2. Parking and loading requirements – See Section 35.4.000 Off-Street Parking and Loading for additional development and design regulations.
3. Landscaping and Screening requirements – See Section 35.4.100 Landscaping and 35.4.200 Screening, Walls, and Fences for additional development and design regulations.
4. Signage requirements – See Section 35.4.300 Signage for additional development and design regulations.
5. Exterior Lighting requirements – See Section 35.4.400 Outdoor Lighting for additional development and design regulations.
6. Further reference, as appropriate, should be given to the City of Glendale, Approved Building and Fire Codes, Subdivision Guidelines, and Engineering Design Standards.

35.2.300 SINGLE RESIDENCE DISTRICTS

35.2.301 Purpose Statements

Single Residence - 10 (R1-10). The purpose of this district is to provide for the protection of established neighborhoods and promote new single-family residential development with a minimum lot size of 10,000 square feet. Certain neighborhood elements such as places of worship, public schools, and other civic uses may also be associated with the Single-Family Residential zoning category.

Single Residence - 8 (R1-8). The purpose of this district is to provide for the protection of established neighborhoods and promote new single-family residential development with a minimum lot size of 8,000 square feet. Certain neighborhood elements such as places of

worship, public schools, and other civic uses may also be associated with the Single-Family Residential zoning category.

Single Residence - 7 (R1-7). The purpose of this district is to provide for the protection of established neighborhoods and promote new single-family residential development with a minimum lot size of 7,000 square feet. Certain neighborhood elements such as places of worship, public schools, and other civic uses may also be associated with the Single-Family Residential zoning category.

Single Residence - 6 (R1-6). The purpose of this district is to maintain the character of undeveloped and developed properties with R1-6 zoning, accommodate certain neighborhood facilities such as churches and schools with existing R1-6 zoning, and to allow the application of new R1-6 zoning only in the special circumstances identified in the required findings for the district.

Single Residence - 4 (R1-4). Preserve and provide for urban detached or attached single residence housing. The primary intent of this district is to encourage the establishment of functional and attractively designed patio home developments. The subdivision and housing product shall be designed for rear yard privacy and useable private open space.

35.2.302 Single Residence Districts Use Standards

Table 2.300-1: Table of Allowed Uses for Single Residence Districts, lists land uses and indicates whether they are permitted by right or with approval of a conditional use permit, or prohibited in each Zoning District. The Use Table also includes references to additional use-specific standards that may be applicable to that use. The organization headings and individual abbreviations utilized in the table are explained as follows:

A. Use Category

The “use categories” are intended merely as an organizational tool and are not regulatory. These use categories simply help to organize the list of “specific use types” into common groupings for ease of reference.

B. Specific Use Type

The “specific use types” are regulatory and function as the basis for defining present and future land uses that are appropriate in each zoning district. Rather than list every possible individual land use type, this list classifies individual land uses and activities into specific use types based on common functional, product or physical characteristics; such as the type and amount of activity, the type of customers or residents, and how goods or services are sold or delivered and site conditions. Further definitions of each specific use type can be found in Article 8 Definitions.

C. Permitted Uses

“P” in a cell indicates that the use is allowed by right in that zoning district.

D. Conditional Uses

“C” in a cell indicates that the use is allowed in the respective zoning district only if reviewed and approved in accordance with the procedures of Section 35.6.208, Conditional Use Permits.

E. Special Uses

"SU" in a cell indicates the use shall require approval of a Special Use in accordance with 35.2.902, Special Use District.

F. Not Permitted

"X" in a cell indicates that the use is not permitted(is prohibited) in that zoning district.

G. Use-Specific Standards

Section numbers listed in the "Supplemental Use Regulations" column denote the location of additional regulations that are applicable to the specific use type; however, provisions in other sections of this Ordinance may also apply.

H. Non-Specified Uses

When a use cannot be reasonably classified into a specific use type, or appears to fit into multiple specific use types, the Development Services Director or designee is authorized to determine the most similar and thus most appropriate specific use type based on the actual or projected characteristics of the individual use or activity (including but not limited to size, scale, operating characteristics and external impacts) in relationship to the specific use type definitions provided in Article 8. Appeal of the Director's decision may be made to the Board of Adjustment following the procedures under Section 35.6.209.

Table 2.300-1: Table Of Allowed Uses for Single Residence Districts

Specific Use Type	P = Permitted Use C = Conditional Use X = Prohibited SU = Special Use District **Single Residence Zoning Districts**					
	R1-10	**R1-8**	**R1-7**	**R1-6**	**R1-4**	**Supplemental Use Regulations**
Agriculture Use Category						
Urban Agriculture, Noncommercial	C	C	C	C	C	
Residential Use Category						
Dwelling, Duplex	X	X	X	X	P	
Dwelling, Single-Family Attached	X	X	X	X	P	
Dwelling, Single-Family Detached	P	P	P	P	P	Sec. 35.3.102.A
Dwelling, Modular Home	P	P	P	P	P	Sec. 35.3.102.D
Residential Care Home	P	P	P	P	P	Sec. 35.3.102.F
Model Home Complex	P	P	P	P	P	Sec. 35.3.102.G
Short-Term or Vacation Rental	P	P	P	P	P	
Public/Semi-Public Use Category						
Cemetery or Mausoleum	(requires SU)	(requires SU)	(requires SU)	(requires SU)	(requires SU)	Sec. 35.2.902

Table 2.300-1: Table Of Allowed Uses for Single Residence Districts						
Specific Use Type	P = Permitted Use C = Conditional Use X = Prohibited SU = Special Use District **Single Residence Zoning Districts**					
	R1-10	**R1-8**	**R1-7**	**R1-6**	**R1-4**	**Supplemental Use Regulations**
Community Playfields and Parks	P	P	P	P	P	
Community Recreation Center	P	P	P	P	P	
Country Club	P	P	P	P	P	
Golf Course	(requires SU)	(requires SU)	(requires SU)	(requires SU)	(requires SU)	Sec. 35.2.902
Government Offices and Civic Buildings	P	P	P	P	P	
Place of Worship	P	P	P	P	P	Sec. 35.3.105.A
Private Schools, Colleges, and Universities; without Dormitories	C	C	C	C	C	Sec. 35.3.105.B
Utility Facility and Service Yard, Major	(requires SU)	(requires SU)	(requires SU)	(requires SU)	(requires SU)	Sec. 35.2.902
Utility Facility, Minor	P	P	P	P	P	
Wireless Facility (Including Tower and Supporting Facilities)	P	P	P	P	P	Sec. 35.3.105.D
General Commercial and Professional Office Use Category						
Commercial Entertainment, Outdoor	(requires SU)	(requires SU)	(requires SU)	(requires SU)	(requires SU)	Sec. 35.2.902
Hotels, Resort	(requires SU)	(requires SU)	(requires SU)	(requires SU)	(requires SU)	Sec. 35.2.902
Industrial Use Category						
Broadcast Tower	(requires SU)	(requires SU)	(requires SU)	(requires SU)	(requires SU)	Sec. 35.2.902
Helistops or Heliports	(requires SU)	(requires SU)	(requires SU)	(requires SU)	(requires SU)	Sec. 35.2.902
Resource Extraction and Processing	(requires SU)	(requires SU)	(requires SU)	(requires SU)	(requires SU)	Sec. 35.2.902

35.2.303 Single Residence Districts Development Standards

The following development standards identified in Table 2.300-2 apply to all principal uses and structures in single residence districts, except as otherwise expressly stated in this Code. General exceptions to these regulations and rules for measuring compliance can be found in Article 8. Regulations governing accessory uses and structures can be found in Section 35.3.200.

Table 2.300-2: Single Residence Districts Development Standards

Zoning District	Lot Dimensions, minimum		Setbacks[11]			Lot Coverage, maximum (%)	Building Height, maximum (feet) [9]	Common Open Space, minimum (% of net common lot area)[10]
	Net Lot Area (square feet)	Lot Width (feet) [1]	Front (feet) [2]	Side (feet) [7]	Rear (feet) [8]			
R1-10	10,000	90	15-20	10	25	40	30	30
R1-8	8,000	80	15-20	5 & 10 [3]	20	40	30	30
R1-7	7,000	70	15-20	5 & 10 [3]	20	40	30	30
R1-6	6,000	60	15-20	5 & 10 [3]	20 [6]	40	30	30
R1-4	4,000	40	15-20	0 - 10 [4][5]	15	45	30	30

NOTES:

[1] Lot width is measured at front setback.

[2] Front setback shall be fifteen (15) feet to living area or for side entry garages and/or covered front porch. Front setback shall be twenty (20) feet for front entry garages and carports.

[3] Minimum separation between buildings on adjacent lots shall be fifteen (15) feet.

[4] For Single-Family Detached uses, minimum separation between buildings on adjacent lots shall be ten (10) feet.

[5] For Single-Family Attached uses, side yard setbacks with common walls may be zero (0) feet.

[6] Minimum rear setback for parcels approved prior to June 22, 1993 shall be fifteen (15) feet.

[7] For all street side setbacks, the minimum street side yard setback shall be ten (10) feet. When an open space tract with a minimum width of five (5) feet is located between the lot and the street, the intent of the additional setback separation is satisfied. However, in no instance shall the building be located any closer to the street side property line than the prescribed internal side yard setback for that property. This will be applied to properties located within conventional subdivisions as well as to those within planned projects (i.e. PRD or PAD).

[8] For private alleys established after the effective date (enter date) of this Code, the rear setback for alley-loaded garages may be zero (0) for the garage face only and garage height shall be limited to twelve (12) feet.

[9] Limit to two-story maximum.

[10] Applicable to non-residential uses only.

[11] Fireplaces may encroach into the front, side, and rear setbacks a maximum of two-and-one-half (2½) feet. Bay windows may encroach into front, side, and rear setbacks a maximum of two-and-one-half (2½) feet for a distance not to exceed ten (10) feet on any building elevation. The bay window must maintain a minimum of five (5) feet separation between it and any property line.

I. Additional Development Standards

1. Accessory Uses, Buildings and Structures - See Section 35.3.200 Establishing Accessory Uses, Buildings, And Structures for additional development and design regulations.

2. Parking and loading requirements – See Section 35.4.000 Off-Street Parking and Loading for additional development and design regulations.
3. Landscaping and Screening requirements – See Section 35.4.100 Landscaping and 35.4.200 Screening, Walls, and Fences for additional development and design regulations.
4. Signage requirements – See Section 35.4.300 Signage for additional development and design regulations.
5. Exterior Lighting requirements – See Section 35.4.400 Outdoor Lighting for additional development and design regulations.
6. Further reference, as appropriate, should be given to the City of Glendale, Approved Building and Fire Codes, Subdivision Guidelines, and Engineering Design Standards.

35.2.400 MULTIPLE RESIDENCE DISTRICTS

35.2.401 Purpose Statements

Mixed Residence - 2 (R-2). This district provides a transition from urban single residence districts to a mixture of residential land uses which include low-density, multiple-residence dwellings. The intent of the district is to preserve and encourage the development of a variety of attached and detached housing units which include private yards and common open space and recreational amenities. The district encourages the clustering of single residence units which can provide a varied residential environment.

Multiple Residence - 3 (R-3). The district provides for medium density urban residential development. The intent of the district is to allow a variety of building types, including apartments, townhouses, and clustered housing.

Multiple Residence – 4 (R-4). This district provides for and encourages development of multiple residence dwellings, which include varied project amenities. The intent of the district is to permit high-density urban development with a mixture of uses of a similar intensity.

Multiple Residence – 5 (R-5). This district provides high-density urban residential development in locations consistent with the General Plan. This district's intent is to accommodate multi-story residential within downtown and designated activity centers.

35.2.402 Multiple Residence Districts Use Standards

Table 2.400-1: Table of Allowed Uses for Multiple Residence Districts, lists land uses and indicates whether they are permitted by right or with approval of a conditional use permit, or prohibited in each Zoning District. The Use Table also includes references to additional use-specific standards that may be applicable to that use. The organization headings and individual abbreviations utilized in the table are explained as follows:

A. Use Category

The “use categories” are intended merely as an organizational tool and are not regulatory. These use categories simply help to organize the list of “specific use types” into common groupings for ease of reference.

B. Specific Use Type

The “specific use types” are regulatory and function as the basis for defining present and future land uses that are appropriate in each zoning district. Rather than list every possible individual land use type, this list classifies individual land uses and activities into specific

use types based on common functional, product or physical characteristics; such as the type and amount of activity, the type of customers or residents, and how goods or services are sold or delivered and site conditions. Further definitions of each specific use type can be found in Article 8 Definitions.

C. Permitted Uses

"P" in a cell indicates that the use is allowed by right in that zoning district.

D. Conditional Uses

"C" in a cell indicates that the use is allowed in the respective zoning district only if reviewed and approved in accordance with the procedures of Section 35.6.208, Conditional Use Permits.

E. Special Uses

"SU" in a cell indicates the use shall require approval of a Special Use in accordance with 35.2.902, Special Use District.

F. Not Permitted

"X" in a cell indicates that the use is not permitted(is prohibited) in that zoning district.

G. Use-Specific Standards

Section numbers listed in the "Supplemental Use Regulations" column denote the location of additional regulations that are applicable to the specific use type; however, provisions in other sections of this Ordinance may also apply.

H. Non-Specified Uses

When a use cannot be reasonably classified into a specific use type, or appears to fit into multiple specific use types, the Development Services Director or designee is authorized to determine the most similar and thus most appropriate specific use type based on the actual or projected characteristics of the individual use or activity (including but not limited to size, scale, operating characteristics and external impacts) in relationship to the specific use type definitions provided in Article 8. Appeal of the Director's decision may be made to the Board of Adjustment following the procedures under Section 35.6.209.

Table 2.400-1: Table Of Allowed Uses for Multiple Residence Districts

Specific Use Type	P = Permitted Use C = Conditional Use X = Prohibited SU = Special Use District **Multiple Residence Zoning Districts**				
	R-2	**R-3**	**R-4**	**R-5**	**Supplemental Use Regulations**
Agriculture Use Category					
Urban Agriculture, Noncommercial	C	C	C	C	
Residential Use Category					

Table 2.400-1: Table Of Allowed Uses for Multiple Residence Districts					
Specific Use Type	P = Permitted Use C = Conditional Use X = Prohibited SU = Special Use District **Multiple Residence Zoning Districts**				
	R-2	**R-3**	**R-4**	**R-5**	**Supplemental Use Regulations**
Dwelling, Duplex	P	X	X	X	
Dwelling, Single-Family Attached	P	P	P	X	
Dwelling, Single-Family Detached	P[1]	P[1]	P[1]	X	Sec. 35.3.102.A
Dwelling, For Rent Community	P	P	P	P	Sec. 35.3.102.C
Dwelling, Multi-Family	P	P	P	P	
Dwelling, Live/Work	X	X	X	C	Sec. 35.3.102.B
Mixed-Use Residential	X	C	C	C	Sec. 35.3.102.E
Dwelling, Modular Home	P	X	X	X	Sec. 35.3.102.D
Group Care Home		C	C	C	Sec. 35.3.102.F
Model Home Complex	P	X	X	X	Sec. 35.3.102.G
Residential Care Home	P	X	X	X	Sec. 35.3.102.F
Residential Care Center	X	P	P	P	Sec. 35.3.102.F
Senior Care, Assisted Living, and Memory Care Facilities	X	X	X	C	
Short-term or Vacation Rental	P	P	P	P	
Public/Semi-Public Use Category					
Cemetery or Mausoleum	(requires SU)	(requires SU)	(requires SU)	(requires SU)	Sec. 35.2.902
Child Care, Center	C	C	C	C	
Community Playfields and Parks	P	P	P	P	
Community Recreation Center	P	P	P	P	
Country Club	P	P	P	P	
Golf Course	(requires SU)	(requires SU)	(requires SU)	(requires SU)	Sec. 35.2.902
Government Offices and Civic Buildings	P	P	P	P	
Place of Worship	P	P	P	P	Sec. 35.3.105.A
Private Schools, Colleges, and	C	C	C	C	Sec. 35.3.105.B

Table 2.400-1: Table Of Allowed Uses for Multiple Residence Districts					
Specific Use Type	P = Permitted Use C = Conditional Use X = Prohibited SU = Special Use District Multiple Residence Zoning Districts				
	R-2	R-3	R-4	R-5	Supplemental Use Regulations
Universities; without Dormitories					
Private Schools, Colleges, and Universities; with Dormitories	C	C	C	C	Sec. 35.3.105.B
Utility Facility and Service Yard, Major	(requires SU)	(requires SU)	(requires SU)	(requires SU)	Sec. 35.2.902
Utility Facility, Minor	P	P	P	P	
Wireless Facility (Including Tower and Supporting Facilities)	P	P	P	P	Sec. 35.3.105.D
General Commercial and Professional Office Use Category					
Commercial Entertainment, Outdoor	(requires SU)	(requires SU)	(requires SU)	(requires SU)	Sec. 35.2.902
Hotels, Resort	(requires SU)	(requires SU)	(requires SU)	(requires SU)	Sec. 35.2.902
Industrial Use Category					
Broadcast Tower	(requires SU)	(requires SU)	(requires SU)	(requires SU)	Sec. 35.2.902
Helistops or Heliports	(requires SU)	(requires SU)	(requires SU)	(requires SU)	Sec. 35.2.902
Resource Extraction and Processing	(requires SU)	(requires SU)	(requires SU)	(requires SU)	Sec. 35.2.902
[1] Dwelling, Single Family Detached uses shall only be permitted for lots that were lawfully established and recorded prior to the date of the passage of this ordinance (insert date) and that do not meet the minimum dimension standards as defined in Table 2.400-2 for the zoning district in which they are located.					

35.2.403 Multiple Residence Districts Development Standards

The following development standards identified in Table 2.400-2 apply to all principal uses and structures in multiple residence districts, except as otherwise expressly stated in this Code. General exceptions to these regulations and rules for measuring compliance can be found in Article 8. Regulations governing accessory uses and structures can be found in Section 35.3.200.

Table 2.400-2: Multiple Residence District Development Standards								
Zoning District		**Density, Maximum (dwelling units/ gross acre)**	**Common Lot** [1] [2] **Dimensions, minimum**		**Perimeter Setbacks** [6]	**Lot Coverage, maximum (% of net common lot area)**	**Building Height, maximum (feet)** [12]	**Common Open Space, minimum (% of net common lot area)[13]**
			Net Lot Area (square feet)	Lot Width (feet) [5]	Front, Side, & Rear (feet)			
R-2	Residential Uses	12	3,630 [3] [4]	N/A	15 [7] [8]	50	36[9]	30
	All other Uses	N/A	10,000	60				
R-3	Residential Uses	16	2,720 [3] [4]	N/A	20 [7] [8]	50	36[9]	30
	All other Uses	N/A	6,000	60				
R-4	Residential Uses	20	2,178 [3] [4]	N/A	20 [7] [8]	50	48[10]	30
	All other Uses	N/A	6,000	60				
R-5	Residential Uses	30	1,452 [3] [4]	N/A	20	55	56[11]	25
	All other Uses	N/A	21,780					

NOTES:

[1] A common lot shall be the original site or lot in which permitted buildings/dwelling, multi-family uses are placed, or in which all subsequent permitted individual lots/dwelling, single-family uses are placed.

[2] If a common lot has less area or width than required by the standards below and was lawfully established and recorded prior to the date of the passage of this ordinance (insert date), such lot may be used for any purpose permitted for the zoning district in which the lot is located, subject to all other applicable regulations and standards of this code.

[3] Minimum Net Lot Area per Dwelling Unit (square feet).

[4] For permitted Single-Family Detached uses as specified in Table 2.400-1, such uses shall adhere to the development standards of the zoning district that is most comparable to the net lot area of the subject parcel, as determined by the Development Services Director or designee.

[5] Lot width is measured at front setback of common lot.

[6] A perimeter setback shall be provided for the common lot only. Individual lots within a common lot are not subject to setbacks, except interior building separation shall be a minimum of ten (10) feet unless otherwise stated herein or as required by the building code.

[7] Perimeter setbacks shall increase by one (1) foot per one (1) foot increase in height over twenty (20) feet, up to a maximum perimeter setback of twenty-five (25) feet.

[8] When adjacent to a Single Residence Zoning District, regardless of height, base side and rear perimeter setbacks shall be increased by ten (10) feet.

[9] Limit to three story maximum.

[10] Limit to four story maximum.

[11] Limit to five story maximum.

[12] Refer to Section 35.2.800 – Special Development Standards for additional building height and FAR regulations for specific locations within the City. In the event of conflict between these standards, the standard that is greatest shall apply.

[13] Applicable to multiple family residential and non-residential uses only.

A. Additional Development Standards

1. Accessory Uses, Buildings and Structures - See Section 35.3.200 Establishing Accessory Uses, Buildings, And Structures for additional development and design regulations.
2. Parking and loading requirements – See Section 35.4.000 Off-Street Parking and Loading for additional development and design regulations.
3. Landscaping and Screening requirements – See Section 35.4.100 Landscaping and 35.4.200 Screening, Walls, and Fences for additional development and design regulations.
4. Signage requirements – See Section 35.4.300 Signage for additional development and design regulations.
5. Exterior Lighting requirements – See Section 35.4.400 Outdoor Lighting for additional development and design regulations.
6. Further reference, as appropriate, should be given to the City of Glendale, Approved Building and Fire Codes, Subdivision Guidelines, and Engineering Design Standards.

35.2.500 COMMERCIAL DISTRICTS

35.2.501 Purpose Statements

Neighborhood Commercial District (C-1). The intent of the Neighborhood Commercial district is to address on a limited basis the needs of the surrounding residential development by providing goods and services generally described as convenience goods and services. The district is intended for smaller scale uses from retail commercial, personal services, business services, and professional and administrative offices. Businesses which might create a nuisance to the immediate residential area are excluded even though the goods and services they provide may be of the convenience nature.

General Commercial District (C-2). The intent of this district is to accommodate either integrated or freestanding commercial uses and services. Uses serve neighborhood scale and community level needs as well as may attract regional shoppers. The district is characterized by a wide range of retail uses operated within primarily enclosed buildings while incorporating an overall design which furthers a pedestrian orientation. Orientation is to major streets with individual access points, signage, and parking areas.

Heavy Commercial District (C-3). This district accommodates wholesale and service uses which serve more intensive, community or regional scale needs. Uses include those with strong orientation to repair services and intensive retail or wholesale functions which may include outside storage of materials or finished products.

Pedestrian Retail (PR). The intent of the Pedestrian-Retail District is to promote and maintain the character of a pedestrian-oriented retail district by encouraging the maintenance and improvement of the pedestrian environment, protecting and improving the economic viability of the district, ensuring new buildings are designed to be compatible with human scale, and reducing conflicts between pedestrians and vehicular traffic. The district encourages pedestrian retail and service activities where shoppers will visit several stores after parking or arriving by public transit.

35.2.502 Commercial Districts Use Standards

Table 2.500-1: Table of Allowed Uses for Commercial Districts, lists land uses and indicates whether they are permitted by right or with approval of a conditional use permit, or prohibited in each Zoning District. The Use Table also includes references to additional use-specific standards

that may be applicable to that use. The organization headings and individual abbreviations utilized in the table are explained as follows:

A. Use Category

The "use categories" are intended merely as an organizational tool and are not regulatory. These use categories simply help to organize the list of "specific use types" into common groupings for ease of reference.

B. Specific Use Type

The "specific use types" are regulatory and function as the basis for defining present and future land uses that are appropriate in each zoning district. Rather than list every possible individual land use type, this list classifies individual land uses and activities into specific use types based on common functional, product or physical characteristics; such as the type and amount of activity, the type of customers or residents, and how goods or services are sold or delivered and site conditions. Further definitions of each specific use type can be found in Article 8.

C. Permitted Uses

"P" in a cell indicates that the use is allowed by right in that zoning district.

D. Conditional Uses

"C" in a cell indicates that the use is allowed in the respective zoning district only if reviewed and approved in accordance with the procedures of Section 35.6.208, Conditional Use Permits.

E. Special Uses

"SU" in a cell indicates the use shall require approval of a Special Use in accordance with 35.2.902, Special Use District.

F. Not Permitted

"X" in a cell indicates that the use is not permitted (is prohibited) in that zoning district.

G. Use-Specific Standards

Section numbers listed in the "Supplemental Use Regulations" column denote the location of additional regulations that are applicable to the specific use type; however, provisions in other sections of this Ordinance may also apply.

H. Non-Specified Uses

When a use cannot be reasonably classified into a specific use type, or appears to fit into multiple specific use types, the Development Services Director or designee is authorized to determine the most similar and thus most appropriate specific use type based on the actual or projected characteristics of the individual use or activity (including but not limited to size, scale, operating characteristics and external impacts) in relationship to the specific use type definitions provided in Article 8. Appeal of the Director's decision may be made to the Board of Adjustment following the procedures under Section 35.6.209.

Table 2.500-1: Table Of Allowed Uses for Commercial Districts					
Specific Use Type	P = Permitted Use C = Conditional Use X = Prohibited SU = Special Use District **Commercial Zoning Districts**				
	C-1	**C-2**	**C-3**	**PR**	**Supplemental Use Regulations**
Agriculture Use Category					
Urban Agriculture, Noncommercial	C	C	C	C	
Residential Use Category					
Dwelling, Live/Work	X	X	X	C	Sec. 35.3.102.B
Dwelling, Mixed-Use Residential	X	X	X	P	Sec. 35.3.102.E
Group Care Home	X	X	C	X	Sec. 35.3.102.F
Residential Care Center	P	P	X	X	Sec. 35.3.102.F
Senior Care, Assisted Living, and Memory Care Facilities	C	P	P	C	
Short-term or Vacation Rental	X	X	X	P	
Public/Semi-Public Use Category					
Business or Trade School	X	C	C	X	
Cemetery or Mausoleum	(requires SU)	(requires SU)	(requires SU)	(requires SU)	Sec. 35.2.902
Child Care, Center	P	P	P	C	
Community Playfields and Parks	P	P	P	P	
Community Recreation Center	P	P	P	P	
Conference or Convention Center	C	P	P	C	
Country Club	C	C	X	X	
Cultural Facility or Museum	P	P	P	P	
Funeral Home or Crematorium	X	P	P	X	
Golf Course	(requires SU)	(requires SU)	(requires SU)	(requires SU)	Sec. 35.2.902
Government Offices and Civic Buildings	P	P	P	P	
Place of Worship	P	P	P	P	Sec. 35.3.105.A

Table 2.500-1: Table Of Allowed Uses for Commercial Districts					
Specific Use Type	P = Permitted Use C = Conditional Use X = Prohibited SU = Special Use District Commercial Zoning Districts				
	C-1	C-2	C-3	PR	Supplemental Use Regulations
Private Schools, Colleges, and Universities; without Dormitories	C	C	C	C	Sec. 35.3.105.B
Private Schools, Colleges, and Universities; with Dormitories	C	C	C	C	Sec. 35.3.105.B
Social Club or Lodge	X	C	C	X	Sec. 35.3.105.C
Social Service Facility	X	C	C	X	
Utility Facility and Service Yard, Major	(requires SU)	(requires SU)	(requires SU)	(requires SU)	Sec. 35.2.902
Utility Facility, Minor	P	P	P	C	
Wireless Facility (Including Tower and Supporting Facilities)	P	P	P	P	Sec. 35.3.105.D
General Commercial and Professional Office Use Category					
Adult Business	X	X	P	X	Sec. 35.3.103.A
Alcoholic Beverages, Retail Sales	C	P	P	C	
Animal Supply and Feed Store	X	P	P	C	Sec. 35.3.103.B
Animal Pet Day Care Facility	X	P	P	X	Sec 35.3.103.B
Animal Pet Store	X	C	C	C	
Antique Shop	P	P	P	P	
Art Gallery/Studio	P	P	P	P	
Automotive, Commercial Parking Lot	P	P	P	C	Sec. 35.3.103.E
Automotive, Parking Structures	X	C	C	C	
Automotive and Recreational Vehicle Rentals	X	C	P	X	Sec. 35.3.103.C
Automotive and Recreational Vehicle Sales	X	C	P	X	Sec. 35.3.103.D

Table 2.500-1: Table Of Allowed Uses for Commercial Districts					
Specific Use Type	P = Permitted Use C = Conditional Use X = Prohibited SU = Special Use District Commercial Zoning Districts				
	C-1	C-2	C-3	PR	Supplemental Use Regulations
Automotive Refueling Station	C	P	P	C	Sec. 35.3.103.F
Automotive Repair and Service, Major	X	C	P	X	Sec. 35.3.103.G
Automotive Repair and Service, Minor	C	C	P	P	Sec. 35.3.103.H
Bar or Cocktail Lounge	X	P	P	P	Sec. 35.3.103.I
Car Wash	C	P	P	X	
Coffee Shop, Café or Bakery	P	P	P	P	
Commercial Entertainment, Indoor	(requires SU)	(requires SU)	(requires SU)	(requires SU)	Sec. 35.2.902
Commercial Entertainment, Outdoor	(requires SU)	(requires SU)	(requires SU)	(requires SU)	Sec. 35.2.902
Convenience Store	C	P	P	X	Sec. 35.3.103.K
Deferred Presentment Companies	X	X	P	X	Sec. 35.3.103.L
Donation Centers	C	C	P	X	Sec. 35.3.103.M
Drive-Through	C	P	P	X	Sec. 35.3.103.N
Financial Institution	P	P	P	P	Sec. 35.3.103.O
Health and Fitness Centers	X	C	P	C	Sec. 35.3.103.P
Hotels and Motels	X	C	P	C	Sec. 35.3.103.Q
Hotels, Resort	(requires SU)	(requires SU)	(requires SU)	(requires SU)	Sec. 35.2.902
Household Appliance, Furniture, and Small Equipment Rentals.	X	P	P	X	Sec. 35.3.103.R
Laundry, Commercial	X	X	P	X	
Massage and Spa Establishments	C	P	P	C	
Medical, Offices and Clinics	P	P	P	X	Sec. 35.3.103.S

Table 2.500-1: Table Of Allowed Uses for Commercial Districts					
Specific Use Type	P = Permitted Use C = Conditional Use X = Prohibited SU = Special Use District **Commercial Zoning Districts**				
	C-1	**C-2**	**C-3**	**PR**	**Supplemental Use Regulations**
Medical, Urgent Care	X	C	C	X	
Medical, Hospitals	X	X	P	X	
Marijuana Dispensary	X	P	P	X	Sec. 35.3.103.T
Microbrewery, Craft Distillery or Tasting Room	C	P	P	C	Sec. 35.3.103.U
Nightclub and Live Entertainment	X	P	P	C	Sec. 35.3.103.W
Office, Business or Professional	P	P	P	P	
Pawn Shops	X	C	P	X	Sec. 35.3.103.X
Personal Services	P	P	P	P	Sec. 35.3.103.Y
Restaurant	P	P	P	P	
Retail, General	P	P	P	P	Sec. 35.3.103.AA
Retail, Large	C	C	P	X	Sec. 35.3.103.BB
Shooting Range, Indoor	X	C	C	X	
Shopping Center, Community	X	C	C	X	Sec. 35.3.103.J
Shopping Center, Neighborhood	C	C	X	X	Sec. 35.3.103.V
Recreation, Indoor	X	P	P	P	Sec. 35.3.103.Z
Recreation, outdoor	X	C	C	X	
Retail, Smoke and Vape Shop	X	C	P	X	
Tattoo and Piercing Studio	X	C	P	X	Sec. 35.3.103.CC
Thrift Stores	X	C	P	X	Sec. 35.3.103.DD
Veterinary Clinic	X	P	P	X	Sec. 35.3.103.EE
Veterinary Hospital, Emergency	X	C	C	X	Sec. 35.3.103.FF
Industrial Use Category					
Animal Kennel / Animal Shelter	X	X	P	X	Sec. 35.3.104.A
Broadcast Studios	X	X	C	X	Sec. 35.3.104.C

Table 2.500-1: Table Of Allowed Uses for Commercial Districts					
Specific Use Type	P = Permitted Use C = Conditional Use X = Prohibited SU = Special Use District **Commercial Zoning Districts**				
	C-1	**C-2**	**C-3**	**PR**	**Supplemental Use Regulations**
Broadcast Tower	(requires SU)	(requires SU)	(requires SU)	(requires SU)	Sec. 35.2.902
Building Material Sales	X	X	P	X	
Community Correctional Facilities	X	X	C	X	
Data Center	X	C	C	X	
Heavy Equipment Sales and Rental	X	X	C	X	
Helistops or Heliports	(requires SU)	(requires SU)	(requires SU)	(requires SU)	Sec. 35.2.902
Nursery, Retail	X	P	P	X	
Resource Extraction and Processing	(requires SU)	(requires SU)	(requires SU)	(requires SU)	Sec. 35.2.902
Storage, Recreational vehicles	X	X	P	X	Sec. 35.3.104.H
Storage, Self-service	X	C	P	X	Sec. 35.3.104.I

35.2.503 Commercial Districts Development Standards

The following development standards identified in Table 2.500-2 apply to all principal uses and structures in commercial districts, except as otherwise expressly stated in this Code.

Table 2.500-2: Commercial Districts Development Standards									
Zoning District	**Density, Maximum (dwelling units/ gross acre)**	**Lot Dimensions**		**Minimum Setback** [1]				**Building Height, maximum (feet)** [4]	**Common Open Space, minimum (% of net lot area)**
		Net Lot Area, minimum (square feet)	Net Lot Area, maximum (square feet)	Front (feet)	Side (feet)	Street Side (feet)	Rear (feet)		
C-1	N/A	N/A	20 ac	30	60 [2]	25	60 [2]	30	20
C-2	N/A	N/A	N/A	30[5]	60 [2] [3]	25	60 [2] [3]	30[5]	20
C-3	N/A	N/A	N/A	30[5]	60 [2] [3]	25	60 [2] [3]	30[5]	20
PR	--[6]	N/A	N/A	0-10	0	0	0	48	N/A

NOTES:

[1] Building setbacks along arterial streets shall be as stated or a minimum of one (1) foot for each one (1) foot of building height, whichever is greatest, unless alternatively specified below. This requirement shall not apply within the PR District.

[2] Building setbacks shall be sixty (60) feet when adjacent to residential uses, fifteen (15) feet when adjacent to non-residential uses.

[3] For lot areas twenty (20) acres or more in size, side and rear setbacks shall be eighty (80) feet when adjacent to residential uses and twenty-five (25) feet when adjacent to non-residential uses.

[4] Refer to Section 35.2.800 – Special Development Standards for additional building height and FAR regulations for specific locations within the City. In the event of conflict between these standards, the standard that is greatest shall apply.

[5] Unless otherwise permitted in Section 35.2.800– Special Development Standards, additional height may be permitted subject to the following. Side and rear building setbacks shall increase two (2) feet for every one (1) foot of building height over thirty (30) feet when adjacent to a residential use or one (1) foot of additional setback for every one (1) foot of building height when adjacent to a non-residential use. Maximum height shall not exceed fifty-six (56) feet. Any building height above fifty-six (56) feet shall require approval of a conditional use permit.

[6] Maximum density in the PR District shall be determined based on the specified land use classification in the General Plan.

A. Additional Development Standards

1. Accessory Uses, Buildings and Structures - See Section 35.3.200 Establishing Accessory Uses, Buildings, And Structures for additional development and design regulations.
2. Parking and loading requirements – See Section 35.4.000 Off-Street Parking and Loading for additional development and design regulations.
3. Landscaping and Screening requirements – See Section 35.4.100 Landscaping and 35.4.200 Screening, Walls, and Fences for additional development and design regulations.
4. Signage requirements – See Section 35.4.300 Signage for additional development and design regulations.
5. Exterior Lighting requirements – See Section 35.4.400 Outdoor Lighting for additional development and design regulations.
6. Further reference, as appropriate, should be given to the City of Glendale, Approved Building and Fire Codes, Subdivision Guidelines, and Engineering Design Standards.

35.2.600 PROFESSIONAL OFFICE DISTRICTS

35.2.601 Purpose Statements

Residential Office District (R-O). Provide for low-intensity professional office uses developed on a residential scale. The district serves as a transition between more intense commercial areas and residential land uses. It allows for residential use and office use of residential structures in areas transitioning to limited office uses. The district is to provide compatible residential conversions or new office construction consistent with adjacent residential uses. Site development standards are directed at screening of parking lots and controlled vehicular access.

Commercial Office District (C-O). The commercial office district provides for financial and professional service offices located on arterial streets or adjacent to commercial areas. It may be in proximity to other businesses or provide a transition between commercial uses and adjacent residential development. The intent is to accommodate office development at an intermediate scale with strict performance controls.

General Office District (G-O). Provide for large multiple-story office development which includes a building or cluster of buildings that provide professional office uses, support retail, and office support services. The district is to provide for major employment concentrations with projects designed to be compatible with surrounding residential uses.

35.2.602 Professional Office Use Standards

Table 2.600-1: Table of Allowed Uses for Professional Office Districts, lists land uses and indicates whether they are permitted by right or with approval of a conditional use permit, or prohibited in each Zoning District. The Use Table also includes references to additional use-specific standards that may be applicable to that use. The organization headings and individual abbreviations utilized in the table are explained as follows:

A. Use Category

The "use categories" are intended merely as an organizational tool and are not regulatory. These use categories simply help to organize the list of "specific use types" into common groupings for ease of reference.

B. Specific Use Type

The "specific use types" are regulatory and function as the basis for defining present and future land uses that are appropriate in each zoning district. Rather than list every possible individual land use type, this list classifies individual land uses and activities into specific use types based on common functional, product or physical characteristics; such as the type and amount of activity, the type of customers or residents, and how goods or services are sold or delivered and site conditions. Further definitions of each specific use type can be found in Article 8.

C. Permitted Uses

"P" in a cell indicates that the use is allowed by right in that zoning district.

D. Conditional Uses

"C" in a cell indicates that the use is allowed in the respective zoning district only if reviewed and approved in accordance with the procedures of Section 35.6.208, Conditional Use Permits.

E. Special Uses

"SU" in a cell indicates the use shall require approval of a Special Use in accordance with 35.2.902, Special Use District.

F. Not Permitted

"X" in a cell indicates that the use is not permitted (is prohibited) in that zoning district.

G. Use-Specific Standards

Section numbers listed in the "Supplemental Use Regulations" column denote the location of additional regulations that are applicable to the specific use type; however, provisions in other sections of this Ordinance may also apply.

H. Non-Specified Uses

When a use cannot be reasonably classified into a specific use type, or appears to fit into multiple specific use types, the Development Services Director or designee is authorized to determine the most similar and thus most appropriate specific use type based on the actual or projected characteristics of the individual use or activity (including but not limited to size, scale, operating characteristics and external impacts) in relationship to the specific

use type definitions provided in Article 8. Appeal of the Director's decision may be made to the Board of Adjustment following the procedures under Section 35.6.209.

Table 2.600-1: Table Of Allowed Uses for Professional Office Districts				
Specific Use Type	P = Permitted Use C = Conditional Use X = Prohibited SU = Special Use District Professional Office Zoning Districts			
	R-O	C-O	G-O	Supplemental Use Regulations
Residential Use Category				
Dwelling, Single-Family Detached [1]	P	C	X	Sec. 35.3.102.A
Dwelling, Live/Work [1]	P	C	X	Sec. 35.3.102.B
Residential Care Home	P	X	X	Sec. 35.3.102.F
Short-term or Vacation Rental	P	X	X	
Public/Semi-Public Use Category				
Business or Trade School	X	P	P	
Cemetery or Mausoleum	(requires SU)	(requires SU)	(requires SU)	Sec. 35.2.902
Child Care, Center	C	C	C	
Community Playfields and Parks	P	P	P	
Community Recreation Center	P	X	X	
Conference or Convention Center	C	P	P	
Cultural Facility or Museum	P	P	P	
Golf Course	(requires SU)	(requires SU)	(requires SU)	Sec. 35.2.902
Government Offices and Civic Buildings	P	P	P	
Place of Worship	P	P	P	Sec. 35.3.105.A
Private Schools, Colleges, and Universities; without Dormitories	X	C	C	Sec. 35.3.105.B
Private Schools, Colleges, and Universities; with Dormitories	X	C	C	Sec. 35.3.105.B
Utility Facility and Service Yard, Major	(requires SU)	(requires SU)	(requires SU)	Sec. 35.2.902
Utility Facility, Minor	P	P	P	
Wireless Facility (Including Tower and Supporting Facilities)	P	P	P	Sec. 35.3.105.D
General Commercial and Professional Office Use Category				
Automotive, Commercial Parking Lot	X	P	P	Sec. 35.3.103.E
Automotive, Parking Structures	X	X	P	

Table 2.600-1: Table Of Allowed Uses for Professional Office Districts				
Specific Use Type	P = Permitted Use C = Conditional Use X = Prohibited SU = Special Use District **Professional Office Zoning Districts**			
	R-O	**C-O**	**G-O**	**Supplemental Use Regulations**
Coffee Shop, Café or Bakery	X	P	P	
Commercial Entertainment, Outdoor	(requires SU)	(requires SU)	(requires SU)	Sec. 35.2.902
Drive-Through	X	X	X	Sec. 35.3.103.N
Financial Institution	X	P	P	Sec. 35.3.103.O
Hotels, Resort	(requires SU)	(requires SU)	(requires SU)	Sec. 35.2.902
Massage and Spa Establishments	X	C	C	
Medical, Offices and Clinics	P	P	P	Sec. 35.3.103.S
Medical, Urgent Care	X	X	P	
Medical, Hospitals	X	X	P	
Marijuana Dispensary	X	X	P	Sec. 35.3.103.T
Office, Business or Professional	P	P	P	
Personal Services	X	X	P	Sec. 35.3.103.Y
Restaurant	X	C	P	
Retail, General	X	X	P	Sec. 35.3.103.AA
Veterinary Clinic	X	C	X	Sec. 35.3.103.EE
Industrial Use Category				
Broadcast Tower	(requires SU)	(requires SU)	(requires SU)	Sec. 35.2.902
Helistops or Heliports	(requires SU)	(requires SU)	(requires SU)	Sec. 35.2.902
Resource Extraction and Processing	(requires SU)	(requires SU)	(requires SU)	Sec. 35.2.902
[1] Shall be limited to a single residence occupied by owner or employee of business on the property.				

35.2.603 Professional Office Development Standards

The following development standards identified in Table 2.600-2 apply to all principal uses and structures in Professional Office districts, except as otherwise expressly stated in this Code.

Table 2.600-2: Professional Office Districts Development Standards									
Zoning District	**Density, Maximum (dwelling units/ gross acre)**	**Lot Dimensions**		**Minimum Setback** [3]				**Building Height, maximum (feet)** [4] [5]	**Common Open Space, minimum (% of net lot area)**
		Net Lot Area, minimum (square feet)	Net Lot Area, maximum (square feet)	Front (feet)	Side (feet)	Street Side (feet)	Rear (feet)		
R-O	--[1]	6,000 [2]	N/A	20	10	25	25	30	30
C-O	--[1]	10,000							20
G-O	N/A	43,560							20

NOTES:

[1] See footnote [1] in Table 2.600-1 for residential density restrictions.

[2] Maximum building size three thousand (3,000) square feet of gross floor area.

[3] Setbacks shall increase one (1) foot for every one (1) foot of building height when adjacent to a residential use, but at no time shall be less than minimum setback.

[4] Refer to Section 35.2.800 – Special Development Standards for additional building height and FAR regulations for specific locations within the City. In the event of conflict between these standards, the standard that is greatest shall apply.

[5] Unless otherwise permitted in Section 35.2.800 – Special Development Standards, in the C-O and G-O Districts, additional height may be permitted subject to the following. Side and rear building setbacks shall increase two (2) feet for every one (1) foot of building height over thirty (30) feet when adjacent to a residential use or one (1) foot of additional setback for every one (1) foot of building height when adjacent to a non-residential use. Maximum height shall not exceed fifty-six (56) feet. Any building height above fifty-six (56) feet shall require approval of a conditional use permit.

A. Additional Development Standards

1. Accessory Uses, Buildings and Structures - See Section 35.3.200 Establishing Accessory Uses, Buildings, And Structures for additional development and design regulations.
2. Parking and loading requirements – See Section 35.4.000 Off-Street Parking and Loading for additional development and design regulations.
3. Landscaping and Screening requirements – See Section 35.4.100 Landscaping and 35.4.200 Screening, Walls, and Fences for additional development and design regulations.
4. Signage requirements – See Section 35.4.300 Signage for additional development and design regulations.
5. Exterior Lighting requirements – See Section 35.4.400 Outdoor Lighting for additional development and design regulations.
6. Further reference, as appropriate, should be given to the City of Glendale, Approved Building and Fire Codes, Subdivision Guidelines, and Engineering Design Standards.

35.2.700 BUSINESS AND INDUSTRIAL DISTRICTS

35.2.701 Purpose Statements

Business Park District (B-P). The purpose of the Business Park district is to accommodate employment uses including administrative and research industries, offices, and limited manufacturing and support services. This district encourages large scale campus style development with a mixture of uses supported by attractive streetscape and functional pedestrian spaces that are compatible with adjacent or surrounding residential land uses.

Light Industrial District (M-1). This district is intended to accommodate industries involving light manufacturing, assembling, warehousing, and wholesale activities of medium intensity compatible with adjacent properties. Associated office and support commercial uses are also included within this district. The indoor manufacturing or assembly of finished products may occur so long as the primary use of the property is not the basic processing and compounding of raw materials.

Heavy Industrial District (M-2). This district is intended to accommodate intense industries involving manufacturing, warehousing, assembly, and storage. The uses include the production, assembly, and processing of large products as well as those which may generate special impacts on surrounding properties. The district is characterized by outdoor uses and/or storage,

industrial processes which involve significant amounts of heat, mechanical and chemical processing, large amounts of materials transfer, and large-scale machinery and structures.

35.2.702 Business and Industrial Use Standards

Table 2.700-1: Table of Allowed Uses for Business and Industrial Districts, lists land uses and indicates whether they are permitted by right or with approval of a conditional use permit, or prohibited in each Zoning District. The Use Table also includes references to additional use-specific standards that may be applicable to that use. The organization headings and individual abbreviations utilized in the table are explained as follows:

A. Use Category

The "use categories" are intended merely as an organizational tool and are not regulatory. These use categories simply help to organize the list of "specific use types" into common groupings for ease of reference.

B. Specific Use Type

The "specific use types" are regulatory and function as the basis for defining present and future land uses that are appropriate in each zoning district. Rather than list every possible individual land use type, this list classifies individual land uses and activities into specific use types based on common functional, product or physical characteristics; such as the type and amount of activity, the type of customers or residents, and how goods or services are sold or delivered and site conditions. Further definitions of each specific use type can be found in Article 8.

C. Permitted Uses

"P" in a cell indicates that the use is allowed by right in that zoning district.

D. Conditional Uses

"C" in a cell indicates that the use is allowed in the respective zoning district only if reviewed and approved in accordance with the procedures of Section 35.6.208, Conditional Use Permits.

E. Special Uses

"SU" in a cell indicates the use shall require approval of a Special Use in accordance with 35.2.902, Special Use District.

F. Not Permitted

"X" in a cell indicates that the use is not permitted (is prohibited) in that zoning district.

G. Use-Specific Standards

Section numbers listed in the "Supplemental Use Regulations" column denote the location of additional regulations that are applicable to the specific use type; however, provisions in other sections of this Ordinance may also apply.

H. Non-Specified Uses

When a use cannot be reasonably classified into a specific use type, or appears to fit into multiple specific use types, the Development Services Director or designee is authorized

to determine the most similar and thus most appropriate specific use type based on the actual or projected characteristics of the individual use or activity (including but not limited to size, scale, operating characteristics and external impacts) in relationship to the specific use type definitions provided in Article 8. Appeal of the Director's decision may be made to the Board of Adjustment following the procedures under Section 35.6.209.

Table 2.700-1: Table Of Allowed Uses for Business/Industrial Districts				
Specific Use Type	P = Permitted Use C = Conditional Use X = Prohibited SU = Special Use District Business/Industrial Zoning Districts			
	B-P	M-1	M-2	Supplemental Use Regulations
Public/Semi-Public Use Category				
Business or Trade School	P	P	P	
Cemetery or Mausoleum	(requires SU)	(requires SU)	(requires SU)	Sec. 35.2.902
Child Care, Center	P	X	X	
Community Playfields and Parks	P	P	P	
Conference or Convention Center	P	P	X	
Fleet Storage Yard	P	P	P	
Funeral Home or Crematorium	X	P	P	
Golf Course	(requires SU)	(requires SU)	(requires SU)	Sec. 35.2.902
Government Offices and Civic Buildings	P	P	P	
Place of Worship	P	P	C	Sec. 35.3.105.A
Prison	X	X	C	
Private Schools, Colleges, and Universities; without Dormitories	C	X	X	Sec. 35.3.105.B
Private Schools, Colleges, and Universities; with Dormitories	C	X	X	Sec. 35.3.105.B
Social Club or Lodge	X	P	X	Sec. 35.3.105.C
Social Service Facility	C	C	X	
Utility Facility and Service Yard, Major	(requires SU)	(requires SU)	(requires SU)	Sec. 35.2.902
Utility Facility, Minor	P	P	P	
Wireless Facility (Including Tower and Supporting Facilities)	P	P	P	Sec. 35.3.105.D
General Commercial and Professional Office Use Category				
Adult Business	X	P	P	Sec. 35.3.103.A

Table 2.700-1: Table Of Allowed Uses for Business/Industrial Districts				
Specific Use Type	P = Permitted Use C = Conditional Use X = Prohibited SU = Special Use District Business/Industrial Zoning Districts			
	B-P	M-1	M-2	Supplemental Use Regulations
Animal Supply and Feed Store	X	P	P	Sec 35.3.103.B
Animal Pet Day Care Facility	X	P	P	Sec 35.3.103.B
Automotive, Commercial Parking Lot	P	P	P	Sec. 35.3.103.E
Automotive, Parking structures	C	C	C	
Automotive and Recreational Vehicle Rentals	C	C	X	Sec. 35.3.103.C
Automotive and Recreational Vehicle Sales	C	C	X	Sec. 35.3.103.D
Automotive Refueling Station	X	X	X	Sec. 35.3.103.F
Automotive Repair and Service, Major	X	P	P	Sec. 35.3.103.G
Automotive Repair and Service, Minor	X	P	X	Sec. 35.3.103.H
Coffee Shop, Café or Bakery	P	X	X	
Commercial Entertainment, Outdoor	(requires SU)	(requires SU)	(requires SU)	Sec. 35.2.902
Drive-Through	C	C	X	Sec. 35.3.103.N
Financial Institution	P	X	X	Sec. 35.3.103.O
Health and Fitness Centers	P	X	X	Sec. 35.3.103.P
Hotels and Motels	P	X	X	Sec. 35.3.103.Q
Hotels, Resort	(requires SU)	(requires SU)	(requires SU)	Sec. 35.2.902
Laundry, Commercial	C	P	X	
Medical, Offices and Clinics	P	X	X	Sec. 35.3.103.S
Marijuana Designated Caregiver Cultivation Location	X	P	P	Sec. 35.3.103.T
Marijuana Dispensary	X	X	X	Sec. 35.3.103.T
Marijuana Dispensary Offsite Cultivation Location	X	P	P	Sec. 35.3.103.T
Marijuana Manufacturing Facility	X	P	P	Sec. 35.3.103.T

Table 2.700-1: Table Of Allowed Uses for Business/Industrial Districts				
Specific Use Type	P = Permitted Use C = Conditional Use X = Prohibited SU = Special Use District Business/Industrial Zoning Districts			
	B-P	M-1	M-2	Supplemental Use Regulations
Microbrewery, Craft Distillery or Tasting Room	P	P	P	Sec. 35.3.103.U
Office, Business or Professional	P	P	X	
Personal Services	P	X	X	Sec. 35.3.103.Y
Restaurant	P	P	X	
Recreation, Indoor	C	P	X	Sec. 35.3.103.Z
Recreation, Outdoor	C	C	X	
Shooting Range, Indoor	C	C	C	
Veterinary Clinic	X	P	X	Sec. 35.3.103.EE
Veterinary Hospital, Emergency	X	C	X	Sec. 35.3.103.FF
Industrial Use Category				
Animal Kennel / Animal Shelter	X	P	C	Sec. 35.3.104.A
Animal Training, Outdoor	X	C	C	Sec. 35.3.104.B
Automotive Wrecking and Salvage Yards	X	X	C	
Broadcast Studios	P	P	X	Sec. 35.3.104.C
Broadcast Towers	(requires SU)	(requires SU)	(requires SU)	Sec. 35.2.902
Building Material Sales	X	P	P	
Commercial Aviation Business	X	C	C	Sec. 35.3.104.D
Data Center	C	C	C	
Distribution Center, Indoor	X	P	P	
Distribution Yard, Outdoor	X	X	P	
Heavy Equipment Sales and Rental	X	P	P	
Helistops or Heliports	(requires SU)	(requires SU)	(requires SU)	Sec. 35.2.902
Manufacturing and Assembly, Minor	P	P	P	Sec. 35.3.104.F
Manufacturing and Assembly, Major	X	C	P	Sec. 35.3.104.E
Nursery, Retail	X	P		
Product Processing	X	P	P	Sec. 35.3.104.G
Recycling Center	X	P	P	
Research Laboratory	P	P	X	

Table 2.700-1: Table Of Allowed Uses for Business/Industrial Districts				
Specific Use Type	P = Permitted Use C = Conditional Use X = Prohibited SU = Special Use District **Business/Industrial Zoning Districts**			
	B-P	**M-1**	**M-2**	**Supplemental Use Regulations**
Resource Extraction and Processing	(requires SU)	(requires SU)	(requires SU)	Sec. 35.2.902
Storage, Recreational Vehicles	C	P	P	Sec. 35.3.104.H
Storage, Self-service	C	P	X	Sec. 35.3.104.I
Towing Business, with Impound Yard	X	P	P	
Travel Plaza/Truck Stop	X	X	C	
Waste Facility, Landfill	X	X	C	
Waste Facility, Transfer Station	X	X	C	
Wholesale, Warehouse	C	P	P	

35.2.703 Business and Industrial Development Standards

The following development standards identified in Table 2.700-2 apply to all principal uses and structures in Business and Industrial Districts, except as otherwise expressly stated in this Code. General exceptions to these regulations and rules for measuring compliance can be found in Article 8. Regulations governing accessory uses and structures can be found in Section 35.3.200.

Table 2.700-2: Business and Industrial Districts Development Standards								
Zoning District	**Lot Dimensions**		**Minimum Setback**				**Building Height, maximum (feet)** [5][6]	**Common Open Space, minimum (% of net lot area)**
	Net Lot Area, minimum (square feet)	Net Lot Area, maximum (square feet)	Front (feet)	Side [2] (feet)	Street Side [2] (feet)	Rear [2] (feet)		
B-P	N/A [1]	N/A	25 [3]	15 [4]	25 [3]	15 [4]	56	20
M-1	6,000 sf	N/A	25	15 [4]	25	15 [4]	56	10
M-2	6,000 sf	N/A	25	15 [4]	25	15 [4]	56	10

NOTES:

[1] Minimum district size is twenty (20) acres.

[2] Side and rear building setbacks shall increase two (2) feet for every one (1) foot of building height over thirty (30) feet when adjacent to a residential use or one (1) foot of additional setback for every one (1) foot of building height when adjacent to a non-residential use, unless alternatively specified below.

[3] Building setbacks shall be fifty (50) feet when adjacent to an arterial street or above, forty (40) feet when adjacent to a collector street, or twenty-five (25) feet when adjacent to a local street.

[4] Building setbacks shall be fifteen (15) feet when adjacent to non-residential uses, sixty (60) feet when adjacent to residential uses.

[5] If adjacent to a non-residential use, a building may exceed the maximum height with a Conditional Use Permit. At no point shall any portion of the building project above a line sloping inward and upward at a forty-five-degree angle from the required setback line. All uses and buildings shall comply with applicable FAA and military airspace requirements.

[6] Refer to Section 35.2.800 – Special Development Standards for additional building height and FAR regulations for specific locations within the City. In the event of conflict between these standards, the standard that is greatest shall apply.

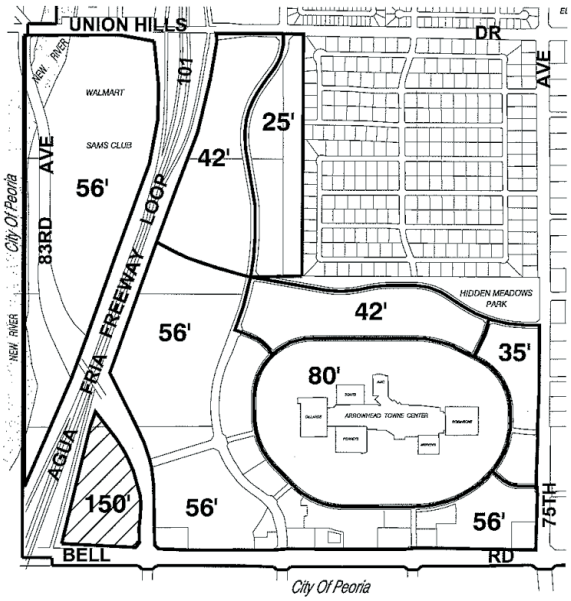
A. Additional Development Standards

1. Accessory Uses, Buildings and Structures - See Section 35.3.200 Establishing Accessory Uses, Buildings, And Structures for additional development and design regulations.
2. Parking and loading requirements – See Section 35.4.000 Off-Street Parking and Loading for additional development and design regulations.
3. Landscaping and Screening requirements – See Section 35.4.100 Landscaping and 35.4.200 Screening, Walls, and Fences for additional development and design regulations.
4. Signage requirements – See Section 35.4.300 Signage for additional development and design regulations.
5. Exterior Lighting requirements – See Section 35.4.400 Outdoor Lighting for additional development and design regulations.
6. Further reference, as appropriate, should be given to the City of Glendale, Approved Building and Fire Codes, Subdivision Guidelines, and Engineering Design Standards.

35.2.800 SPECIAL DEVELOPMENT STANDARDS

The purpose of this Section is to present special development standards and define the manner in which they are applied.

35.2.801 Specific Area Development Standards



Map # 1

Bell Road / 75th Ave. to 83rd Ave.

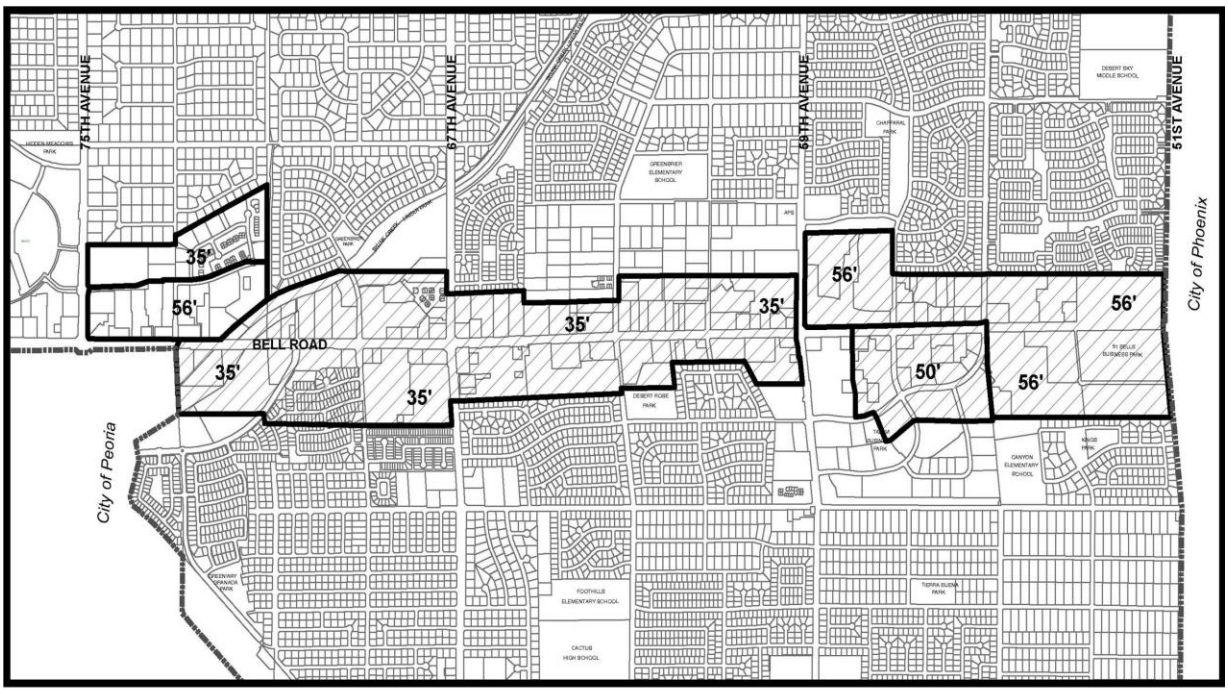
GLENDALE

Legend

Floor Area Ratio 1.0 or less

56' Building Height

Note: Building heights limited to 30' within 200' of residence



Map # 2 ***Bell Road / 51st Ave. to 75th Ave.***

GLENDALE AZ

Legend

Floor Area Ratio 0.5 or less

56' Building Height
Note: Building heights limited to 30' within 200' of residence

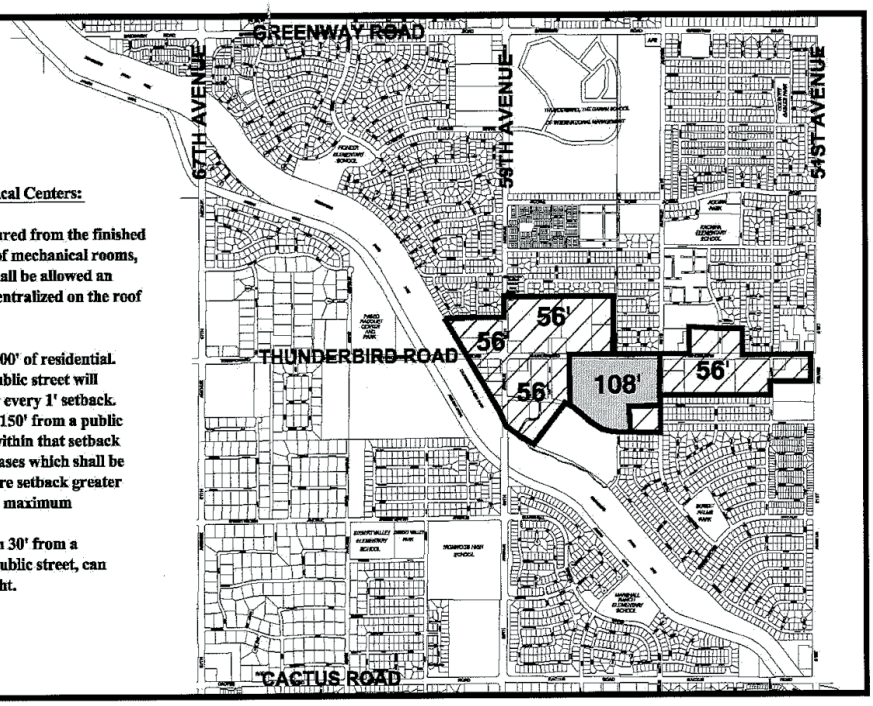
Map # 3

Special Development Standards for Major Medical Centers:

1. **Maximum Building Height: 108' measured from the finished grade level to the top of parapet (exclusive of mechanical rooms, elevator penthouses and staircases which shall be allowed an additional 34' provided such uses shall be centralized on the roof and not exceed 40% of the floor plate.**
2. **Maximum Floor Area Ratio: .8**
3. **Building Height limited to 30' within 100' of residential.**

4a. **Buildings that are within 50' from a public street will have a building height equal to 1' height for every 1' setback. Buildings that are setback between 50' and 150' from a public street shall have a maximum height of 56' within that setback (exclusive of elevator penthouses and staircases which shall be allowed an additional 26'). Buildings that are setback greater than 150' from a public street can achieve a maximum established building height.**

4b. **Buildings that are setback greater than 30' from a perimeter property line, not adjacent to a public street, can achieve maximum established building height.**



Map # 3 *Thunderbird Road / 51st Avenue to 61st Avenue*

Special Building Heights and Floor Area Ratios

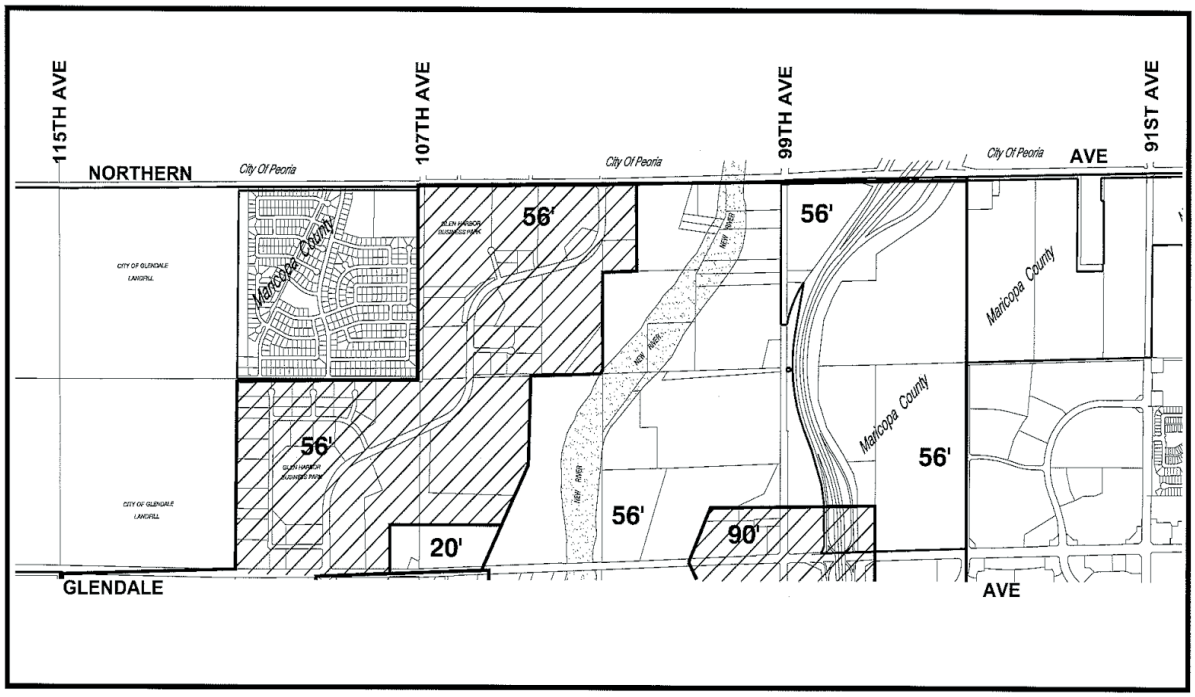
GLENDALE AZ

Major Medical Centers:

Floor Area Ratio: Maximum of 0.8
Building Height: Maximum 108'
(Limited to 30' within 100' of residential and other conditions per ZTA05-03. See text on map.)

Other Areas:

Floor Area Ratio: Maximum of 0.5
Building Height: 56' (Limited to 30' within 200' of residential.)



Map # 4 *Glendale & Northern Ave. / 91st Ave. to 115th Ave.*

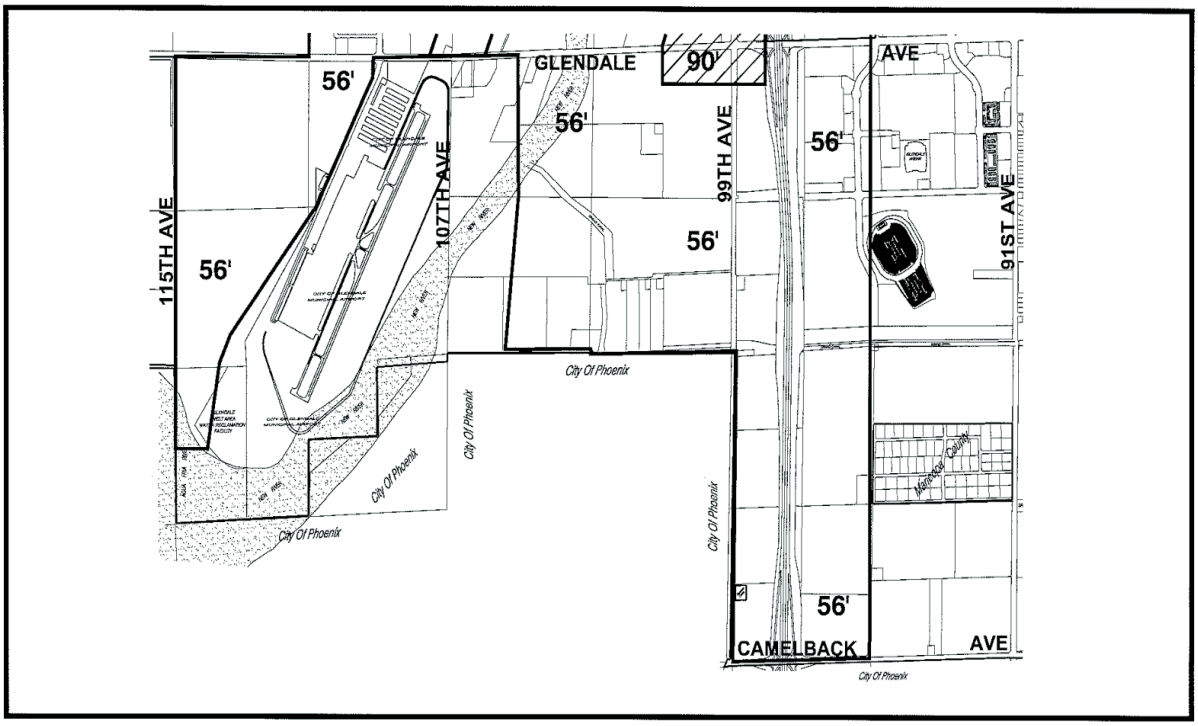
GLENDALE AZ

Legend

Floor Area Ratio 0.5 or less

56' Building Height

Note: Building heights limited to 30' within 200' of residence



Map # 5 *Glendale Ave. & Camelback Rd. / 95th Ave. to 115th Ave.*

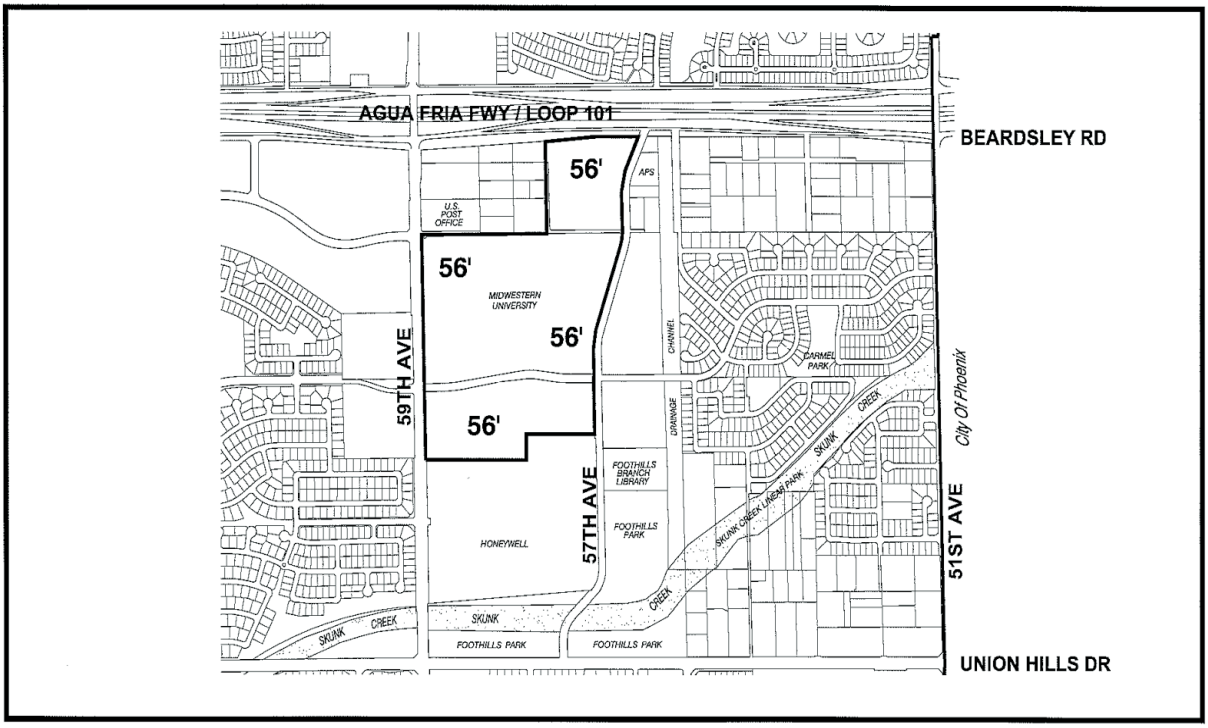
GLENDALE

Legend

Floor Area Ratio 0.5 or less

56' Building Height

Note: Building heights limited to 30' within 200' of residence

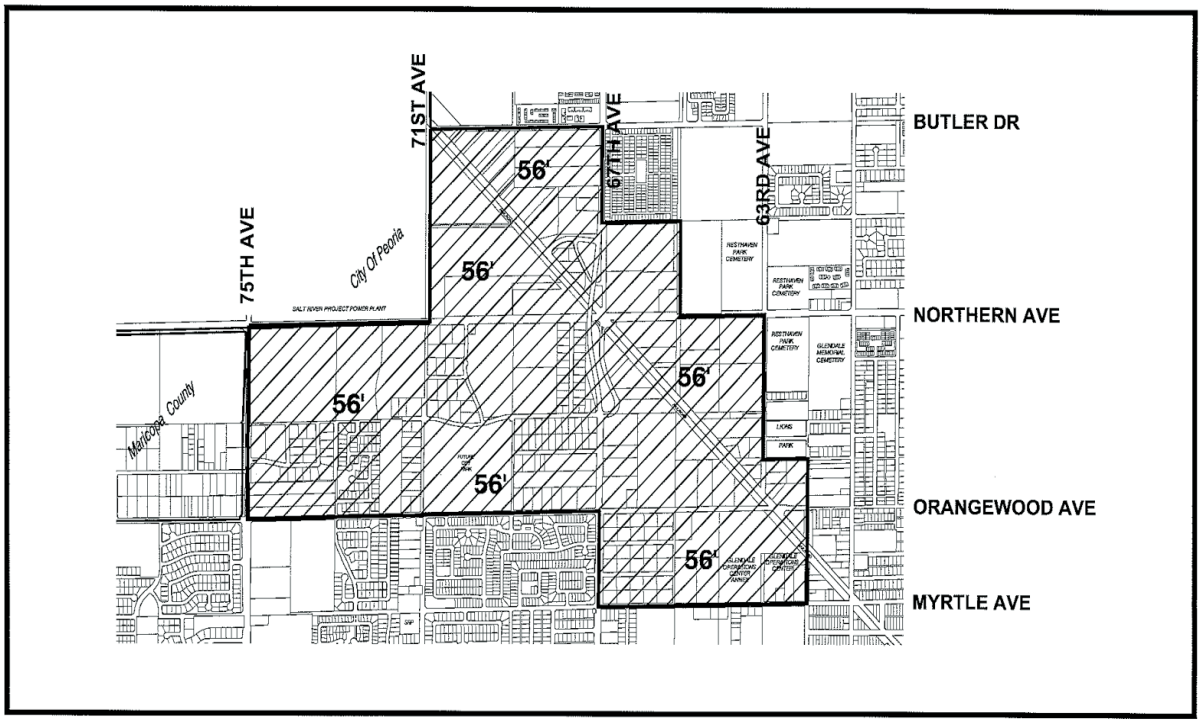


Map # 6a *Agua Fria Fwy to Union Hills / 57th Avenue to 59th Avenue*

GLENDALE AZ

Legend

56' Building Height
Note: Building heights limited to 30' within 200' of residence



Map # 7

North Grand Employment Center

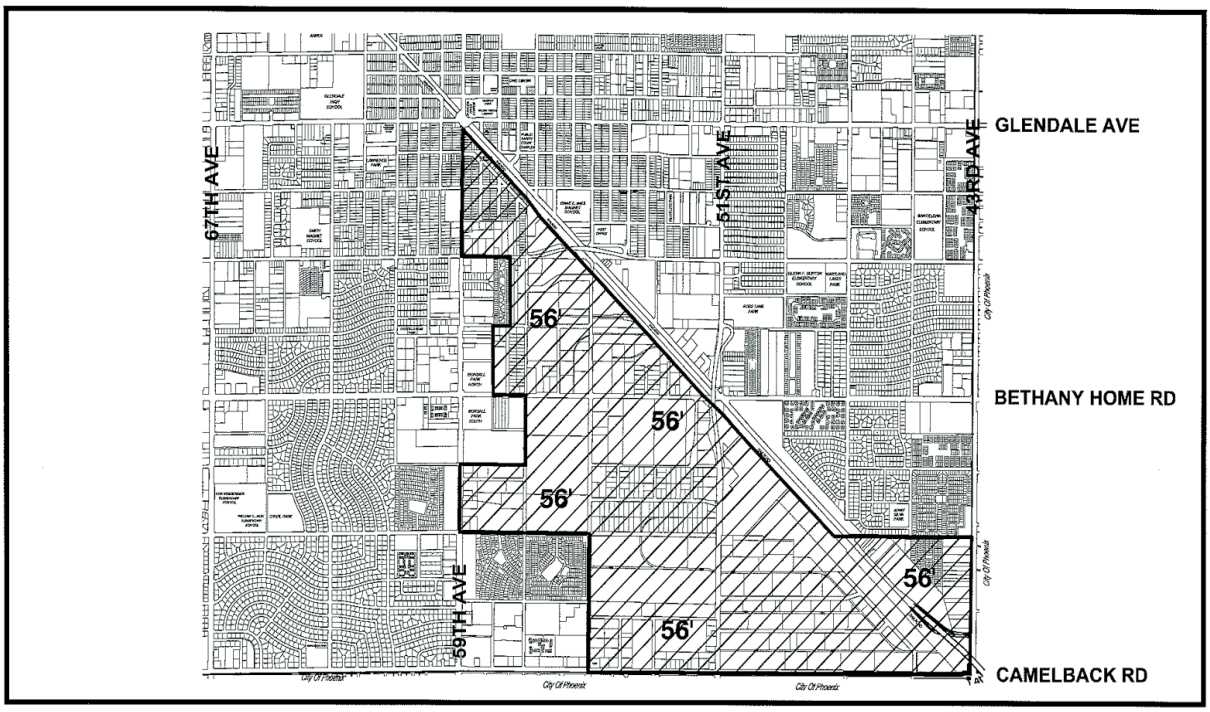
GLENDALE AZ

Legend

Floor Area Ratio 0.5 or less

56' Building Height

Note: Building heights limited to 30' within 200' of residence



Map # 8 *South Grand Employment Center*

GLENDALE

Legend

Floor Area Ratio 0.5 or less

56' Building Height

Note: Building heights limited to 30' within 200' of residence

35.2.802 Freeway Development Standards

A. Purpose

The purpose of this section is to provide the appropriate and necessary off-site and on-site improvements to protect and enhance the livability of properties near the Agua Fria Freeway (Loop 101).

(Ord. No. 2127, § 1, 3-28-2000)

B. General Requirements.

1. All residential development and other noise sensitive land uses located within one thousand three hundred twenty (1,320) feet of the Agua Fria (Loop 101) right-of-way boundary shall comply with the provisions of this section.
2. Residential development shall include single residences, multi-residences and mobile home residences.

3. Noise sensitive land uses shall also include churches, schools, child care facilities, nursing homes and similar facilities.

4. All residential development and other noise sensitive uses within one thousand three hundred twenty (1,320) feet of the Agua Fria Freeway right-of-way boundary shall submit a sound attenuation plan prior to rezoning, preliminary plat, lot split, or design review approval.

5. Billboard Signs and Digital Billboard Signs are prohibited on property located within the Scenic Corridor (see section 35.2.1009).

(Ord. No. 2127, § 1, 3-28-2000; Ord. No. 2976, § 4, 2-23-16)

C. Sound Attenuation Plan.

1. The sound attenuation plan shall include a noise analysis of the property that details the projected freeway noise levels based on the most current projected traffic volumes available from the Maricopa Association of Governments. The time period for the projected traffic volumes and traffic characteristics shall be a minimum of fifteen (15) years from the date of the submittal.

2. The sound attenuation plan shall include the proposed attenuation measures needed to guarantee that the projected exterior noise levels on the property shall not exceed the (Leq) sixty-two (62) dBA noise level. This noise measurement method is the method used by the Arizona Department of Transportation (ADOT) and the Federal Highway Administration (FHWA).

3. The sound attenuation plan shall include a certification by an acoustical engineer or registered architect as to the projected noise levels on the site and that the sound attenuation measures will meet the (Leq) sixty-two (62) dBA noise level.

(Ord. No. 2127, § 1, 3-28-2000)

D. Sound Attenuation Improvements.

1. Sound attenuation improvements shall include all measures necessary to meet the required standard including freeway noise walls and earthen berms.

2. The sound attenuation measures shall utilize designs that minimize the visual impact on the site with appropriate use of colors and materials. The landscape plan proposed for any site subject to the freeway development standards shall include additional landscape treatments to minimize the visual impacts of walls or berms.

(Ord. No. 2127, § 1, 3-28-2000)

E. Administration.

1. The City Engineer or designee will review the sound attenuation plan and its proposed improvements for compliance with the intent of this section.

2. The approval of the sound attenuation plan is required prior to any rezoning, preliminary plat, lot split, or design review approval.

3. If the City Engineer or designee determines that the sound attenuation plan does not meet the intent of this section that decision may be appealed to the Planning Commission consistent with the procedures outlined in Section 35.6.209.

35.2.900 SPECIAL DISTRICTS

35.2.901 Planned Area Development

A. Purpose Statement

The purpose of this district is to encourage new and imaginative concepts in urban design and land development to promote and improve the health, safety, and general welfare of the residents of the City and to create distinct developments with unique urban design, single or mixed uses, and/or substantial additional benefit to the City that would not otherwise be required by this Code. Further, it is the intent of the Planned Area Development (PAD) district to:

1. Encourage creative and effective use of land and circulation systems to accommodate changes in land development technologies.
2. Encourage residential development to provide a mixture of housing types and designs.
3. Encourage innovative development or redevelopment concepts for all land use types to provide a greater variety and intensity of uses.
4. Provide a process which relates the urban design and scale of the project to the unique characteristics of the site.
5. Require the nature and intensity of development to be supported by adequate utilities, transportation, drainage, and common open spaces to serve the development and to minimize impact on existing or future adjacent development.
6. Encourage development that is consistent with the policies and the guidelines established in any specific plan and the General Plan.

B. Qualifying Standards

An application for rezoning to a PAD district shall only be considered if the application meets the following criteria, as determined by the Development Services Director or designee:

1. The land included in the proposed PAD is under single ownership or control. Single control of property under multiple ownership may be considered when the application includes enforceable agreements, covenants, or commitments that run to the benefit of the City and that the City may require to be recorded if the PAD is approved.

C. Use Standards

1. Permitted Uses

   Any permitted land use within this Code is allowed subject to consistency with the General Plan and any applicable Specific Area Plan, along with the Specific Land Use Designations within the approved Development Plan. Unless a combination of other zoning districts are referenced for the definition of permitted uses, all permitted uses must be specifically defined in the approval of the PAD.

2. Uses Subject to Conditions

   Specific conditions or requirements for administrative review may be required in conjunction with PAD approval.

3. Uses Subject to Conditional Use Permit

Specific uses within this Code subject to a conditional use permit may be deferred in conjunction with the PAD approval.

4. Uses Subject to Temporary Use Permit

   Specific temporary uses subject to a Temporary Use Permit may be allowed per Section 35.3.300.

5. Accessory Uses

   Accessory uses are defined by the standard of the zoning district reference within the Development Plan. Any accessory use not included within the referenced zoning district must be detailed specifically within the Development Plan

D. Development Standards

All standards are established within the approval process including residential density, lot sizes, building setbacks, lot coverage, and building heights, except as follows:

1. See Section 35.4.300 Signage, standards may be established in the approval of a PAD, however, special sign standards may not deviate from the standards set forth in Sections 35.4.310.A and Section 35.4.310.B. Billboard Signs and Digital Billboard Signs are prohibited on property located within a Scenic Corridor.

E. Performance Standards

Established by development plan either by referral to zoning districts or specific standards.

F. Design Guidelines

Design Review is required as outlined in Section 35.6.212 Design Review. The design of the project shall be consistent with any existing guidelines applicable to the land use proposed. This shall include, but not be limited to the following:

1. Subdivision Design Expectations.
2. Commercial Design Expectations.
3. Multi-Family Design Expectations.
4. Industrial Design Expectations.
5. All wireless communication facilities are subject to Design Review and must be consistent with wireless communication facilities design guidelines.

G. Additional Development Standards

1. Accessory Uses, Buildings and Structures - See Section 35.3.200 Establishing Accessory Uses, Buildings, And Structures for additional development and design regulations.
2. Parking and loading requirements – See Section 35.4.000 Off-Street Parking and Loading for additional development and design regulations.
3. Landscaping and Screening requirements – See Section 35.4.100 Landscaping and 35.4.200 Screening, Walls, and Fences for additional development and design regulations.
4. Signage requirements – See Section 35.4.300 Signage for additional development and design regulations.

5. Exterior Lighting requirements – See Section 35.4.400 Outdoor Lighting for additional development and design regulations.
6. Procedures – See Section 35.6.200 Procedures for specific process and approval regulations
7. Further reference, as appropriate, should be given to the City of Glendale, Approved Building and Fire Codes, Subdivision Guidelines, and Engineering Design Standards.

35.2.902 Special Use

A. Purpose Statement

The purpose of this Special Use (SU) district is intended to accommodate certain land uses which are necessary in urban development, but do not conform to traditional zoning district permitted use classifications. This district allows for the location of these special uses by imposing specific regulations over a defined geographic area. The special use district allows those uses identified to be evaluated and properly located or prohibited so that surrounding properties will not be adversely impacted by such uses. Specific performance requirements will be considered in the evaluation and establishment of any special use.

B. Qualifying Standards

Minimum requirements for special uses included in this district are:
1. Cemeteries, ten (10) acres.
2. Outdoor recreational facilities, three (3) acres or more.

C. Use Standards

1. Permitted Uses

All uses permitted within the special use district are subject to the approval of a development plan for the area of the special use. All requirements and standards must be specifically defined and included in the approval of the special use. Any uses or requirements of the previous zoning district are superseded in the approval of the special use. The following uses are permitted in the special use district:

a. Cemeteries which may include related uses, such as mausoleums, columbariums, crematoriums, mortuaries, and customary accessory uses.

b. Public utility treatment and generating plants, including nuclear, electrical, wastewater, major electrical substations, and related ancillary offices.

c. Helistops or heliports.

d. Golf courses, including customary accessory uses.

e. Outdoor commercial recreational facilities, including, but not limited to, baseball and batting cages, softball complexes, outdoor arenas, sports stadiums, and amphitheaters.

f. Sand and gravel extraction, crushing, and/or processing.

g. Resort hotels.

h. Radio and television broadcasting towers.

D. Development Standards

All standards are established within the approval process including lot sizes, building setbacks, lot coverage, and building heights.

E. Performance Standards

Established by development plan either by referral to zoning districts or specific standards.

F. Additional Development Standards

1. Accessory Uses, Buildings and Structures - See Section 35.3.200 Establishing Accessory Uses, Buildings, And Structures for additional development and design regulations.
2. Parking and loading requirements – See Section 35.4.000 Off-Street Parking and Loading for additional development and design regulations.
3. Landscaping and Screening requirements – See Section 35.4.100 Landscaping and 35.4.200 Screening, Walls, and Fences for additional development and design regulations.
4. Signage requirements – See Section 35.4.300 Signage for additional development and design regulations.
5. Exterior Lighting requirements – See Section 35.4.400 Outdoor Lighting for additional development and design regulations.
6. Procedures – See Section 35.6.200 Procedures for specific process and approval regulations.
7. Further reference, as appropriate, should be given to the City of Glendale, Approved Building and Fire Codes, Subdivision Guidelines, and Engineering Design Standards.

35.2.1000 OVERLAY DISTRICTS

35.2.1001 Planned Residential Development Overlay

A. Purpose Statement

This Planned Residential Development (PRD) overlay district is intended to promote the design and construction of Single-Family or Multi-Family residential development according to an overall development plan. The purpose of this district is to:

1. Encourage imaginative and innovative planning of residential neighborhoods by providing greater flexibility in design.
2. Encourage the provision of useable open space and recreation facilities within neighborhoods.
3. Encourage variation in lot size, lot width, building setback, building orientation, and house product design within neighborhoods.

4. Establish residential neighborhoods which have a distinct character and convey a sense of place.

5. Promote the efficient use of land by enabling the development of parcels which would otherwise be difficult to develop.

B. Qualifying Standards

1. A PRD may be established as an overlay zoning district in any of the Suburban Residence (i.e. SR-30, SR-17, and SR-12), Single Residence (i.e. R1-10, R1-8, R1-7, R1-6, and R1-4), or Multiple Residence (i.e. R-2, R-3, R-4, and R-5) zoning districts.

2. A PRD overlay shall only be applied in residential use applications. Permitted, non-residential uses in underlying zoning districts shall not be eligible for application of a PRD overlay.

3. A PRD overlay shall be applied only to contiguous property so as to create a unified and cohesive development.

4. Any PRD approved prior to the effective date of this Code (insert date) shall remain in effect and be subject to the regulations established at the time of original approval.

C. Use Standards

1. Permitted uses.

   Land use shall conform to the uses permitted in the underlying zoning district. A PRD overlay shall not be used to add, eliminate, or restrict uses permitted in the underlying zoning district regulations.

D. Development Standards.

1. The development standards of the underlying zoning district may be amended as part of the PRD approval to address defined opportunities and constraints related to the property, subject to the limitations as stated below. All other provisions of the Unified Development Code and other City adopted policies, codes, and ordinances of general applicability shall apply.

   a. Density – The maximum gross residential density allowed for in the PRD overlay district shall be as specified for the site by the General Plan.

   b. Lot size – The average lot area per dwelling, exclusive of the area occupied by streets, shall not be less than that required by the underlying zoning district regulation otherwise applicable to the site.

   c. Lot width - In no case shall the minimum lot width of the underlying zoning district be reduced by more than 5 feet, except no lots dedicated to single-family detached land uses shall have a lot width that is less than 40 feet. Any lot width for all other permitted residential land use types that are less than 40 feet shall further demonstrate enhanced architecture that minimizes the impact of the garage.

   d. Setbacks - The required setbacks of the underlying zoning district may be amended by a maximum of 5 feet, subject to the following additional limitations:

      i. Within Single Residence Districts in no case shall the required front setback be reduced or shall the side setback be less than 5 feet, except in the R1-4 District were the front living area setback may be reduced and zero (0) side setbacks are permitted. All building separation requirements as specified by the building code shall also apply.

ii. Within Multiple Residence Districts in no case shall any building or structure be located within 15 feet of any lot line or within 20 feet of any public right-of-way. All building separation requirements as specified by the building code shall also apply.

e. Lot coverage - In no case shall the maximum lot coverage exceed the underlying zoning district by more than five (5) percent.

f. Height – In no case shall the maximum height of the underlying zoning district be increased, except the maximum height may be increased by 1 foot for every 1 foot of increased setback, up to the maximum height of the adjacent underlying zoning district or ten (10) feet above the maximum height of the underlying zoning district when adjacent to residential zoning, whichever is less.

g. Open Space – Required active open space shall be a minimum of 5% more than the applicable "common area" requirements set forth within the Development Standards for each applicable zoning district.

E. Application Procedures and Requirements.

1. All applications for a PRD overlay shall be submitted and processed pursuant to the requirements and procedures in Section 35.6.202 and Section 35.6.207. The procedures for amending an approved PRD shall be the same as for the original approval. As part of the review process, stipulations of approval may be imposed such as, but not limited to, the following:

a. Timing or phasing of development;

b. Off-site and on-site improvements;

c. General Development Standards (i.e. landscaping, parking, walls and screening, and outdoor lighting); and

d. Design guidelines;

2. The PRD application shall be accompanied by a scaled development plan which shows at a minimum the following information:

a. Name of the development.

b. Existing zoning.

c. Proposed boundary of the PRD district.

d. General topography and areas where major grading is proposed.

e. Preliminary drainage concept.

f. Accommodations for utilities.

g. Location of all interior and perimeter streets.

h. Size, location, and use of public or commonly owned open space and facilities.

i. Conceptual lot layout or site plan.

j. The area of any sub-development areas and the number of dwelling units proposed within each area.

k. A data table which includes the total gross area, total number of units, gross density, area devoted to street rights-of-way, and area proposed for open space use.

l. All adjacent lots or parcels and improvements within one hundred fifty (150) feet of the site perimeter.

3. The PRD application shall also be accompanied by a clear and concise project narrative which provides specific details about the proposed development concept. The project narrative shall include at a minimum the following information:

a. Legal description of the property.

b. Complete description of the intended nature and character of the development.

c. Details concerning the purpose, ownership, improvement, and maintenance of all public or commonly owned open space and facilities.

d. Proposed phasing.

e. General landscape concept.

f. Outline of proposed conditions, covenants, and restrictions.

g. Proposed amended development standards.

h. Typical lot layouts showing the proposed setbacks for interior, corner, and cul-de-sac lots.

i. Relationship to surrounding property and proposed screening, buffers, and transitions.

j. Design concept for perimeter walls, entry features, and common areas;

k. Proposed cross sections for all interior and perimeter streets.

l. House product design criteria including type, architectural style, color palette, and exterior materials.

m. Provisions for on-site and off-site drainage.

4. Required Findings.

All PRD applications shall be reviewed for conformance with the stated purpose of this overlay district. Prior to approval, the City Council shall make the following findings:

a. The proposal is consistent in substance and location with the development objectives of the General Plan and any adopted specific area plans.

b. The proposal will be compatible with and complementary to other existing and planned development in the area. Site planning on the perimeter shall provide for the protection of the property from adverse surrounding influences, as well as protection of the surrounding areas from potentially adverse influences within the development.

c. The proposal meets or exceeds the City's Design Guidelines and Subdivision Design Expectations regarding site planning, architecture, landscaping, building materials and colors, and screening of mechanical equipment.

d. The proposal will result in a quality living environment and accommodate desired lifestyles.

e. The proposed project amenities which may include equestrian and pedestrian trails, bike paths, landscaped areas, entry features, decorative theme walls, parks, playgrounds, and other public or commonly owned open space and recreation facilities will be provided in a manner that results in public benefits not otherwise attainable by application of the general regulations of Unified Development Code and any other City adopted policies, codes, and ordinances of general applicability.

f. The type and quality of house products will be consistent with the intended character of the development.

g. If development is to be accomplished in phases, the development plan shall coordinate improvement of the open space, the construction of buildings, structures, and improvements in such open space, and the construction of dwelling units in order that each development phase achieves a proportionate share of the total open space and environmental quality of the total planned development.

F. Conformance.

1. All development within the PRD shall conform to the Development Plan, project narrative, and any stipulations as approved by the City Council. Any substantive modification shall require an amendment to the PRD.

35.2.1002 Adaptive Reuse Program

A. Purpose Statement

As markets shift, tenant needs change, and architectural requirements advance, buildings can become functionally obsolete. Consequently, these idle buildings adversely impact the economic viability of the neighborhoods and districts that surround them. As the City of Glendale continues to grow and develop, the need to facilitate the reuse of these unoccupied or underutilized buildings for purposes other than which they were originally built or designed for has become imminent.

The purpose of the City of Glendale’s Adaptive Reuse Program is to encourage the retention and productive reuse of qualifying buildings by modifying development standards and processes that would otherwise impede their activation and continued use.

B. Program Goals

Across the City, Glendale has existing buildings that are unoccupied, partially occupied, and/or underutilized. It is the City's goal to create a program to encourage and support property owners and businesses ready to invest in these buildings in order to promote historic preservation, help revitalize neighborhoods and contribute to the economic growth of older portions of the city.

The ancillary impacts of a proactive Adaptive Reuse Program are also intended to foster the development of tax generating businesses, promote the redevelopment of blighted areas, encourage infill development that utilizes existing public infrastructure, and support sustainable development practices by recycling existing buildings.

C. Applicability

This program applies Citywide subject to the following Tiers based on building size:

1. Tier 1: 5,000 sq. ft. maximum. This can include an addition to the existing building. The addition cannot exceed 50% of the square footage of the existing building and a combined total of 5,000 square feet.
2. Tier 2: Greater than 5,000 sq. ft. to 25,000 sq. ft.
3. Tier 3: Greater than 25,000 sq. ft. to 100,000 sq. ft. and larger buildings or groups of buildings such as a retail center with aggregate square footage over 100,000 sq. ft.

D. Eligibility Criteria

Projects must meet all of the following criteria to be eligible for the Adaptive Reuse Program:

1. The project must reuse all of an existing building. Except Tier I projects may include an addition to the existing building, however, the addition cannot exceed 50% of the square footage of the existing building. (Eligibility of defined tenant spaces in a multi-tenant building shall be determined on a case-by-case basis.)
2. The building must be permitted and at least 20 years old or been vacant for a minimum of 3 continuous years.
3. The new use results in a change of occupancy for the existing building or change from one use classification type to another as defined in the UDC. (Excluded business types include: sexually-oriented businesses, marijuana facility/dispensary, tobacco/smoke shop, check cashing/payday loan, pawn shop, liquor store, bail bonds, substance abuse treatment centers, manufacturing/ fabrication/ assembly of products).
4. The Development Services Director or designee has the authority to make exceptions on the above criteria.

E. Program Incentives:

Projects that comply with the program eligibility criteria shall utilize the Adaptive Reuse Program Guide to identify specific policies, regulations, and interpretations that may be applicable to their project.

35.2.1003 Infill Development Program

A. Purpose

Infill is redevelopment or reuse of vacant or underutilized property and/or buildings within an area that is generally already built-up. Such development may face challenges in higher costs of development and/or an inability to meet certain regulatory standards. The purpose of the Infill Development Program is to promote and facilitate the development and redevelopment of infill properties that cannot be reasonably developed using currently adopted zoning, subdivision and engineering standards.

B. Goals

It is the intent of this district to generally:

1. Encourage flexibility in the development, redevelopment, investment and reinvestment of infill properties in a manner that is consistent with the Goals and Policies of the Glendale General Plan.
2. Encourage the use of innovative approaches to development that utilize compatible and sustainable development practices.
3. Facilitate the development, redevelopment, and use of properties in Glendale where public infrastructure is already in place.

C. Establishment

The Infill Development Program shall apply to the specified boundaries of the Infill Incentive District as established by the City Council and identified on the official zoning map of the City of Glendale, kept on file at the Development Services Department.

D. Applicability

Except as otherwise expressly stated, the Infill Development Program regulations of this section apply to zoning districts only within the boundaries of the Infill Incentive District, to all new permitted uses and structures, and all building alterations and site modifications that require a building permit.

All of the provisions of the City code that would apply to a non-infill project shall apply to infill projects except as specifically modified by this Section. If there is a conflict between the standards of this Section and the provisions of any applicable overlay district or plan area district, the overlay district or area plan district standards shall supersede the standards of this Section.

E. Eligibility Criteria

Projects must meet all of the following criteria to be eligible for the Infill Development Program:

1. Parcels and/or buildings must be located within the boundaries of the established Infill Incentive District.
2. Parcels shall be twenty (20) acres or less in size.
3. The Development Services Director or designee, has the authority to make exceptions on the eligibility criteria within the city's Infill Development Program upon a finding that it is in the best interest of the city.

F. Program Incentives

Projects that comply with the Program eligibility criteria shall utilize the Infill Development Plan to identify specific policies, regulations, and interpretations that may be applicable to their project.

35.2.1004 Airport Impact Overlay

A. Purpose Statement.

The Airport Impact Overlay district seeks to protect the public health, safety, and general welfare of the area surrounding the Glendale Municipal Airport by minimizing exposure to high noise levels and the hazards generated by airport operations. Also, it is to further the development of property surrounding the airport in a manner compatible with the continued operation of the airport. The district shall overlay other zoning districts where it is applied so that any parcel of land lying in the Airport Impact Overlay District shall also lie in one (1) or more of the other zoning districts. Should any conflict arise, the more strict regulation shall apply.

B. Overlay Districts and Boundaries.

1. Airport Noise Overlay Districts and Clear Zones. For purpose of administering these regulations, there shall be three (3) airport noise overlay areas and one (1) clear zone overlay area, identified below, within the Airport Impact Overlay District for the Glendale Municipal Airport. The boundaries for these noise overlays and clear zones shall be defined in the Official Zoning Maps.

    a. Airport Noise Overlay-1 (ANO-1). The area between the post 2010 65 (ldn) and 70 (ldn) noise contour lines developed by the application of day/night average sound level of methodology of sound measurement (ldn).

    b. Airport Noise Overlay-2 (ANO-2). The area between the post 2010 70 (ldn) and 75 (ldn) noise contour lines developed by the application of day/night average sound level of methodology of sound measurement (ldn).

    c. Airport Noise Overlay-3 (ANO-3). The area within the post 2010 greater than 75 (ldn) noise contour line as developed by the application of day/night average sound level of methodology of sound measurement (ldn).

    d. Clear Zone Overlay (CZO). The area at the end of Runway 19-1 and the future parallel runway which must be maintained clear of any structures or obstructions according to Federal Aviation Administration standards.

        i. Lots Divided by Airport District Boundaries. Whenever a lot of record is divided by an airport district boundary, the development shall conform to land use and design criteria of the more restrictive district in accordance with all City codes and regulations.

C. Taxiway Access and Operations.

Any development proposing taxiway access shall be approved by the Development Services Director or designee and Airport Manager.

D. Certification of Noise Attenuation.

1. Certification. Prior to issuance of a building permit in any airport noise overlay area, a certification by an acoustical engineer or registered architect shall be required specifying that construction practices and the materials of the structure will achieve the interior noise level required by the noise attenuation standards indicated in Section 35.2.1004.D.2. The engineer or architect shall submit relevant information to permit the City building officials to verify that the proposed measures will achieve interior noise level standards.

2. Noise Attenuation Standards. The noise level reduction measures must be incorporated into the design and construction of the principal buildings where people work or are otherwise received, in order to achieve a maximum interior noise level of forty-five (45) decibels. This requirement includes all offices and areas which serve the public. Any land use within a building with a self-generated noise level in excess of forty-five (45) decibels is not subject to this standard.

    a. Airport Noise Overlay-1-Noise Level Reduction of twenty (20) decibels.

    b. Airport Noise Overlay-2-Noise Level Reduction of twenty-five (25) decibels.

    c. Airport Noise Overlay-3-Noise Level Reduction of thirty (30) decibels.

3. Inaccurate Data. False or inaccurate data shall be cause for rendering null and void any building permits and may result in non-issuance of an occupancy permit.

4. City Liability. The City of Glendale, its employees and officers shall not be held liable for any permit issued on the basis of false information.

E. Avigational Easements and Release.

Prior to issuance of any building or development permit for property within the Airport Impact District, the owner of said property shall provide the City of Glendale with an avigational easement over the subject property and release the City of Glendale from all liability for any and all claims for damages originated from dust, noise, vibration, fumes, fuel and lubricant particles, etc. The avigational easement and release forms shall be available from the City of Glendale.

F. Additional Height and Safety Regulations.

1. Height. Any development or construction of buildings or structures shall submit a Federal Aviation Administration Form 7460-1 to the local Federal Aviation Administration office for review. A positive recommendation from the Federal Aviation Administration stating the development has no negative effect on the airport or navigational airspace must be reviewed prior to commencing construction.

2. Construction or establishment of any building, structure, or use shall comply with the height limits as determined by the zoning district identified by the Official Zoning Map of the City of Glendale, or with the height limits specified by the Airport Runway Approach Clearance Map as defined, whichever places the greater restriction.

3. Hazard Marking and Lighting. The Federal Aviation Administration shall determine whether the construction in, or existence of any building, structure, or plant material constitutes a hazard to an aircraft operation in the vicinity of the airport. When such determination is made, the owner of the structure, pole, tower, tank, or plant material shall at his own expense, reduce in height or install, operate, and maintain such markers and lights that may be necessary to indicate to aircraft operators the presence of an airport hazard.

4. Communication Facilities. Any activity within this district which may create an electrical interference with communications between the airport facility and the aircraft is prohibited unless approved by the Federal Aviation Administration.

G. Administration.

1. The Development Services Director or designee shall review all requests for building and development within the Airport Impact Overlay Zone for compliance with this ordinance prior to issuance of any permit.

2. The Airport Manager shall be informed of all requests for development within the Airport Impact Overlay District. The Development Services Director or designee shall forward a copy of all applications with attended information to the Airport Manager prior to the issuance of any permits. The Airport Manager shall verify receipt of such information and, within ten (10) working days, forward any comments concerning the requests to the Development Services Director or designee.

3. Residential rules and CC&R language for developments within the Airport Impact Overlay District shall be subject to review and comment by the Airport Manager.

35.2.1005 Mobile/Manufactured Home Overlay

A. Purpose Statement.

This district is intended to provide for and preserve mobile/manufactured home subdivisions and mobile/manufactured home park developments which are compatible with the surrounding neighborhood. These developments shall provide adequate recreational, storage, and service facilities within the development. The district shall be in addition to and overlay any residential zoning districts.

B. Qualifying Standards.

All uses are subject to either an approved subdivision plat in accordance with the Subdivision Ordinance or Site Development Plan, and Design Review in accordance with Section 35.6.212 shall be required prior to development.

C. Occupancy of Mobile Homes and Vehicles Prohibited Except in Authorized Areas.

No person shall occupy any mobile/manufactured home or recreational vehicle in the city except in a mobile/manufactured home park, a mobile/manufactured home subdivision or as authorized otherwise.

D. Limitation on Parking or Storage of Mobile/Manufactured Homes or Recreational Vehicles.

1. No person shall park or store any mobile/manufactured home on any lot or parcel of land which is situated outside of an improved mobile/manufactured home park or mobile/manufactured home subdivision.

2. Any recreational vehicle which is parked or stored shall not be used as permanent living quarters or for the operation of any business.

E. Development Standards.

1. Mobile/Manufactured Home Parks.

a. Minimum size of such mobile/manufactured home park shall be ten (10) net acres.

b. The current setback requirements and spacing standards of this district shall be met prior to replacing mobile homes or travel trailers in an existing nonconforming park. No permits shall be issued without a scaled development plan on file showing existing improvements and locations of all units.

c. The minimum space size for a mobile/manufactured home shall be three thousand (3,000) square feet; for a travel trailer or motor home, one thousand (1,000) square feet.

d. There shall be a distance of not less than twenty (20) feet between the front or rear of a mobile/manufactured home or travel trailer and not less than five (5) feet between fixed canopies.

e. Travel trailers and motor homes shall constitute no more than fifteen (15) percent of total spaces. These spaces must be delineated on the approved development plan for each mobile home park. These spaces should be located together and not spread throughout the park. These spaces shall not be continuously occupied for more than six (6) months.

f. No mobile/manufactured home, travel trailer, or accessory building shall be placed or built within fourteen (14) feet of the side of another mobile/manufactured home, travel trailer, or accessory building.

g. There shall be a seven (7) foot setback from all interior drives, roadways, and exterior perimeters to the nearest edge of any mobile/manufactured home or travel trailer.

h. No more than one (1) mobile/manufactured home, travel trailer, or motor home shall be placed on each space.

i. Off-street parking for at least two (2) automobiles shall be provided in each space or on each lot or on a separate designated parking area within the mobile/manufactured home park.

j. Interior private streets shall not be less than thirty (30) feet in width.

k. Screening shall be provided around the exterior of the mobile home park by a minimum six (6) foot masonry wall.

l. All mobile/manufactured homes shall be skirted in a uniform manner.

m. No mobile/manufactured home space shall be located within twenty (20) feet of a property line. Such area shall be maintained as a landscape buffer area which can be used for recreation or as part of a retention area.

n. A common area of five hundred (500) square feet for each rental space shall be provided and approved for recreation, laundry, and service purposes.

o. No boat, motor home, or travel trailer shall be permitted to be stored on any rental space. Such storage area shall be provided by the park at a ratio of fifty (50) square feet for each rental space.

p. Mobile/manufactured home parks may include accessory storage buildings, office buildings, recreational facilities, laundry facilities, and other common facilities use provided for park residents.

2. Mobile/Manufactured Home Subdivision.

    a. Minimum size for mobile/manufactured home subdivisions shall be ten (10) net acres.

    b. Mobile/manufactured home subdivision density, yard, area, and sign requirements shall be determined by the underlying residential district.

    c. No more than one (1) mobile/manufactured home shall be placed on any lot and no mobile/manufactured home shall be used for anything other than a single residence dwelling.

    d. All mobile/manufactured homes shall be mounted and anchored to a continuous masonry foundation in accordance with approved standards.

    e. No mobile/manufactured home containing less than six hundred (600) square feet shall be used as a dwelling.

    f. Approval of all mobile/manufactured home subdivisions shall be subject to the provisions of the subdivision ordinance.

35.2.1006 Historic Preservation Overlay

A. Purpose Statement.

The purpose of this ordinance is to support the identification, preservation, and enhancement of the city's significant historical, architectural, cultural, and archaeological resources in the interest of the welfare of the citizens of Glendale by:

1. Protecting, preserving, and enhancing the significant elements of the city's historical, architectural, cultural, and archaeological heritage;
2. Encouraging the identification and recognition of significant historic resources;
3. Encouraging the sensitive adaptation of historic properties to modern uses;
4. Assuring that new construction, additions, alterations, and demolitions to both historic and non-historic properties within Historic Preservation Districts are carried out in a manner which is not detrimental to the historic integrity of these districts;
5. Encouraging the identification and protection of prehistoric and historic archaeological resources;
6. Protecting and preserving those properties within the city which may not have popular appeal, but are valuable to the community in terms of tourism, education, neighborhood character and identity, and economic development;
7. Preserving and enhancing the city's attractiveness to potential home buyers, tourists, businesses wanting to relocate, and other visitors, thereby supporting and promoting commercial development and economic benefit to the city's economy; and
8. Encouraging the stabilization, rehabilitation, and conservation of the existing housing stock, including the prevention of needless demolition of structurally sound buildings in order to strengthen the city's neighborhoods.

B. Effect of Historic Preservation (HP) Zoning Designation.

1. The Historic Preservation District is an overlay zone. Permitted uses and development standards shall be regulated by the underlying zoning district.

2. The development standards for the underlying zoning district may be superseded by the design guidelines adopted at the time of the district designation. This includes, but is not limited to, the size, height, locations and number of signs, the location of off-street parking, required screening and landscaping, the height of fences and walls, and the number of required off-street parking and loading spaces.

3. When a building permit is sought from the City to demolish, alter, remodel, move, build, or otherwise develop or landscape property in a Historic Preservation District, issuance of the permit shall be deferred until after a Certificate of No Effect is issued by the Historic Preservation Officer or a Certificate of Appropriateness is obtained from the Historic Preservation Commission.

4. Plans showing the scope of the proposed work shall be submitted at the time of application for a Certificate of No Effect or a Certificate of Appropriateness. An approved plan shall be binding upon the applicant and their successors and assignees. No building permit shall be issued for any building or structure not in accordance with the plan, except that temporary facilities shall be permitted in conjunction with construction. No structure or other element specified on the plan shall be eliminated, altered, or provided in another manner, unless an amendment is approved in conjunction with the procedures for original approval.

5. Nothing in this ordinance shall be construed to prevent ordinary maintenance or repair, including painting, of any structure in the Historic Preservation District, which does not alter or modify the historic character of the structure.

C. Certificate of No Effect.

1. All requests for building permits located within a Historic Preservation District shall be referred to the Historic Preservation Officer.

2. The Historic Preservation Officer shall issue a Certificate of No Effect if it is determined that:

   a. The proposed work is minor and clearly within design guidelines adopted at the time of Historic Preservation District designation; and

   b. The proposed work will not diminish, eliminate, or adversely impact the historic character of the subject property or its affect on the district.

3. Approval of a Certificate of No Effect authorizes the issuance of permits required by the City Building Codes.

4. If a Certificate of No Effect is not issued, a Certificate of Appropriateness shall be required.

D. Certificate of Appropriateness.

1. The Historic Preservation Commission shall review the application and shall conduct a public hearing within sixty (60) days of the filing of an application for a building permit. Notice of the application shall be posted on the property at least fifteen (15) days before the date set for the public hearing. The HP Commission shall either grant or deny the application, or grant it with stipulations. This application shall be deemed approved if the initial hearing is not held within sixty (60) days of the date of application.

2. The Historic Preservation Commission shall evaluate all proposals in accordance with the Secretary of the Interior's Standards for Rehabilitation and the adopted design guidelines for the district. A Certificate of Appropriateness shall be granted if the HP Commission determines that the proposed work:

a. Is compatible with the relevant historic, cultural, educational, or architectural qualities characteristic of the property; and

b. Does not diminish or adversely impact the integrity of the district; or

c. Qualifies for a Certificate of Economic Hardship.

3. Any person aggrieved by the Historic Preservation Commission's decision may, within seven (7) working days of this action appeal to the City Council. If appealed, the matter shall be set for a public hearing before the City Council. Notice of the hearing shall be sent to the applicant at least fifteen (15) days prior to the hearing and shall be posted on the property fifteen (15) days prior to the hearing.

4. The City Council shall limit its review of the case to the record of the Historic Preservation Commission, as established by the staff report, any exhibits, minutes and/or transcripts, and any audio/visual tape of the proceedings. New testimony will not be accepted for consideration, however, each side may make a limited presentation on the evidence in the record of the HP Commission. Such presentation shall be limited to a maximum of five (5) minutes per side unless greater time is granted by the Mayor. The City Council will conduct its review in accordance with the evaluation criteria established by Subsection B of this section. Except as otherwise provided herein, City Council members who review written communications or engage in verbal communications which are not part of the HP Commission's record shall disclose any such communications during the appeal public hearing. City Council must make its decision within sixty (60) days of the filing of an appeal or the application is deemed approved. At this public hearing, the City Council may do one (1) of the following:

a. Affirm the decision of the Historic Preservation Commission.

b. Reverse the decision of the Historic Preservation Commission; or

c. Remand the application to the Historic Preservation Commission for reconsideration.

5. Approval of a Certificate of Appropriateness authorizes the issuance of permits required by the City's Building Code. A Certificate of Appropriateness expires one (1) year from the date of issuance.

E. Certificate of Economic Hardship.

1. A Certificate of Economic Hardship may be granted by the Historic Preservation Commission or by the City Council on appeal. Separate standards for obtaining a Certificate of Economic Hardship are established for investment or income producing and non-income producing properties. Non-income producing properties shall consist of owner-occupied single-family dwellings and non-income producing institutional properties.

2. The basis to establish economic hardship for an income producing property shall be the inability of a property taken as a whole to obtain a reasonable rate of return in its present condition or if rehabilitated.

3. Economic hardship in regard to a non-income producing property shall be found when the property owner demonstrates that the property has no beneficial use as a single-family dwelling or for an institutional use in its present condition or if rehabilitated.

4. Demonstration of an economic hardship shall not be based on or include any of the following circumstances:

a. Willful or negligent acts by the owner;

b. Purchase of the property for substantially more than market value;

c. Failure to perform normal maintenance and repairs;

d. Failure to diligently solicit and retain tenants;

e. Failure to provide normal tenant improvements.

5. Demonstration of an economic hardship may be viewed in light of or include the ability and diligence of the property owner at the time of acquisition, to determine the potential historic significance or existing Historic Preservation District designation of the subject property.

6. In order to properly assess a request for Certificate of Economic Hardship, the Commission shall request and receive from the applicant all information it deems necessary. This may include, but is not limited to, the following:

   a. A report from a licensed engineer or architect with experience in rehabilitation as to the structural soundness of the building(s) on the property, their suitability for rehabilitation, and possible new uses for the property;

   b. The assessed value of the land and improvements according to the two (2) most recent assessments;

   c. The real estate taxes paid during the previous two (2) years;

   d. All appraisals obtained by the owner or applicant in connection with his purchase, financing, or ownership of the property;

   e. Any listing of the property for sale or rent, price asked and offers received, if any;

   f. All building and fire code violations which have been listed on the property for the last two (2) years.

   g. Any federal, state, or local citation(s) which have determined the building to be a nuisance under applicable law; and

   h. If the property is income-producing:

      i. Annual gross income from the property for the previous two (2) years;

      ii. Itemized operating and maintenance expenses for the previous two (2) years; and

      iii. Annual cash flow, if any, for the previous two (2) years.

7. The procedures for obtaining a Certificate of Economic Hardship shall be the same for obtaining a Certificate of Appropriateness.

8. If a Certificate of Economic Hardship is issued, a Certificate of Appropriateness shall be granted.

F. Demolition and Moving of Buildings and Structures.

It is the intent of this ordinance to preserve the historic and architectural resources within Historic Preservation Districts. However, it is recognized that there can be circumstances beyond the control of a property owner which may result in the necessary demolition of a structure within an Historic Preservation District. These circumstances include a building

which constitutes an imminent safety hazard, which involves a resource whose loss does not diminish or adversely effect the integrity of the district, or which imposes an economic hardship on its owners.

1. No permit shall be issued to move or demolish all or any part of a house, building, or other structure in a Historic Preservation District without approval of a Certificate of Appropriateness as established in Section 35.2.1006 of this ordinance.
2. A request for a demolition permit shall be exempt from these requirements if the Building Safety Director determines, according to the criteria set forth in the Uniform Code for the Abatement of Dangerous Buildings, that the building is an imminent safety hazard to the public and that necessary repairs would be impractical. The Building Safety Director shall first notify the Historic Preservation Officer in writing before issuing the demolition permit.
3. If demolition approval is not granted, then no demolition permit shall be issued for a period of one (1) year, unless a subsequent demolition approval has been requested and granted. A subsequent demolition application may be made and granted for a property which has previously been the subject of a one (1) year demolition permit denial if new facts or circumstances can be presented in support of the application.
4. Upon denial of a demolition approval, the Historic Preservation Officer shall contact the property owner to determine what assistance might be available to place the property into productive use. If a feasible rehabilitation or use is not found for the property, the Historic Preservation Officer shall investigate methods of private or public acquisition of the property.
5. If demolition approval is granted on any basis other than that of an imminent hazard, economic hardship, or upon expiration of a restraint of demolition, a demolition permit shall not be issued until a redevelopment or reuse plan for the property has received a Certificate of Appropriateness. Vacant land or non-use shall not be considered responsive to this requirement. A redevelopment or reuse plan shall consist of a site plan illustrating building locations, parking, walls, and landscaping, as well as elevations showing roof lines, doors, windows, and other architectural details. A redevelopment or reuse plan shall also meet the requirements of Design Plan Review as required by the underlying zoning district.
6. A demolition approval may be conditioned on stipulations which provide for rights of access to the property for the purposes of documentation or for agreed upon removal of artifacts.

35.2.1007 Senior Citizen Overlay

A. Purpose Statement.

The purpose of the Senior Citizen Overlay District ("SCO") is to provide for a residential community conducive to the lifestyle and sensitive to the particular needs of senior citizens, retirees and persons of advanced age. This District is intended to be utilized for existing and proposed planned residential developments that were/will be developed, advertised and sold and rented under age specific restrictions for persons fifty-five (55) years of age or older in compliance with the provisions of the Arizona Fair Housing Act, the Federal Fair Housing Act, and the Housing for Older Persons Act of 1995 as they may hereafter be amended ("Fair Housing Acts").

B. Application Procedures and Requirements.

1. SCO may be established as an overlay zoning district in any of the Rural Residential (RR), Suburban Residential (SR), Urban Residential (R-l), Multiple Residence (R-2, R-3, R-4, R-5) or Planned Area Development (PAD) zoning districts.

2. All applications to establish SCO shall be submitted and processed pursuant to the requirements and procedures in Section 35.6.207; except that applicants are limited to the property owner(s) or Homeowners' Association. The procedures for amending an approved SCO shall be the same as for the original approval. Applications to remove the SCO for any particular development may be initiated by the City Council or Planning Commission or any other applicant as authorized by Section 35.6.207.

3. An application for SCO will be considered only after the submission of the following materials:

   a. Submission of either of the following:

      i. A petition signed by one hundred percent (100%) of the owners of property within the proposed district agreeing to the SCO District; or

      ii. Documentation for existing developments that all of the property within the proposed district has been, since the beginning of the project, and will continue to be developed, advertised and sold or rented under age specific restrictions as required by the Fair Housing Acts. Documentation for new developments that all of the property within the proposed District is and will continue to be developed, advertised and sold or rented under age specific restrictions as required by the Fair Housing Acts and the SCO District requirements. This documentation may include items such as advertisements, sales agreements, lease agreements and a subdivision's deed restrictions (CC&R's Conditions, Covenants and Restrictions).

   b. Submission of all of the following:

      i. Documentation that at the time of application, at least eighty (80) percent of the dwelling units are occupied by at least one (1) person fifty-five (55) years of age or older per unit, regardless of any legal, nonconforming rights that may exist, as required by the Fair Housing Acts. Newly constructed housing developments or facilities need not comply with this requirement until twenty-five (25) percent of the units in the development or facility are occupied. This documentation of occupancy shall be by reliable surveys and affidavits which shall be admissible in administrative and judicial proceedings for the purposes of such verification; and

      ii. Documentation for existing developments that a Homeowners' Association or management agency or association publishes and adheres to policies that demonstrate the intent of the Fair Housing Acts. Documentation for new developments that a Homeowners' Association or management agency or association has prepared published documents which will be adhered to that demonstrate the intent of the Fair Housing Acts; and

      iii. Documentation for existing developments that a Homeowners' Association or management agency or association is actively enforcing age restrictive deed restrictions or lease agreements on other types of residential developments within the proposed district that are in conformance with the Fair Housing Acts and SCO District requirements. Documentation for new developments that a Homeowners' Association or management agency or association will be actively enforcing age restrictive deed restrictions or lease agreements on other types of residential developments within the proposed district that are in conformance with the Fair Housing Acts and SCO District requirements; and

iv. A certification by the applicant(s) or authorized representative of the applicant(s) that SCO is not being applied for an underlying reason that would violate or circumvent the Fair Housing Acts or the Federal Rehabilitation Act of 1973 and that, to the best of the signer's information and belief, the development meets or at completion will meet the requirements for exemption for housing for older persons under the Fair Housing Acts.

c. On residential communities which meet the intent of the SCO as outlined in 35.2.1007.A, the SCO may be established as follows:

i. For existing developments the SCO may be applied only to entire subdivisions, mobile home parks, or multiple residence communities with defined boundaries. No minimum acreage is required. The SCO District precludes exception parcels.

ii. For new developments SCO may be established only on parcels of twenty (20) or more contiguous acres in the Rural Residential (RR), Suburban Residential (SR), Urban Residential (R-1) and Planned Area Development (PAD) Zoning Districts. New SCO developments in the Multiple Residence (R-5, R-4, R-3, R-2) Zoning Districts may only be established on parcels of ten (10) or more contiguous acres. SCO Zoning may only be applied to entire subdivisions, mobile home parks, or multiple residence communities with defined boundaries. The SCO District precludes exception parcels.

C. Permitted Uses.

1. Land use shall conform to the uses permitted in the underlying zoning district.

2. Any persons residing in any dwelling unit for a period of time exceeding one hundred twenty (120) days in any twelve (12) month period shall be considered a resident of the SCO District.

3. Age Guidelines/Requirements

a. Each dwelling unit, if occupied, shall be occupied by at least one (1) person fifty-five (55) years of age or older.

b. No person under eighteen (18) years of age shall reside in any dwelling unit for a period of time exceeding one hundred twenty (120) days in aggregate in a twelve (12) month period which starts the first day of the documented occupancy by such person.

D. Supplementary Provisions.

1. Except as to the matters specifically identified in this Section, the development standards and all other provisions and regulations of the underlying zoning district shall apply to property within the SCO District.

2. Developments within the SCO District must comply with the mandates of the Fair Housing Acts as they pertain to housing for persons fifty-five (55) years of age or older and other applicable provisions.

3. A General Plan Amendment or Specific Plan is required prior to approval of SCO on developments of more than 160 contiguous acres to address issues of provision of adequate and appropriate City services, any special or different infrastructure and public facility needs, and impacts of the development.

E. Required Findings.

1. All SCO applications shall be reviewed for conformance with the stated purpose of this overlay district. Prior to approval, the Planning Commission and City Council shall make the following findings:

   a. The proposal is in compliance with the intent of SCO District to create a community for persons fifty-five (55) years of age or older.

   b. The proposal will not adversely impact other existing and/or planned land uses, infrastructure or public facilities, or the planning or development of school sites in the vicinity.

   c. The proposal will provide the same infrastructure standards (such as street widths, sidewalks, and utilities) and land use amenities (such as parks, employment and retailing) as normally planned for in non-SCO developments.

F. Administration.

1. Enforcement.

   Enforcement of the SCO District shall occur only when reasonable efforts have been undertaken by a Homeowners' Association or management agency or association to enforce a subdivision's deed restrictions (CC&R's-Conditions, Covenants, and Restrictions) or lease agreements on other types of residential developments and certification has been submitted to the City by a Homeowners' Association or management agency or association that the development still complies with the Fair Housing Acts. Reasonable efforts by a Homeowners' Association or management agency or association to enforce a subdivision's deed restrictions or lease agreements shall be documented as follows:

   a. Registered letter of written notification to the resident(s) and owner(s), if different, of the unit(s) not in compliance stating the reasons for non-compliance with the subdivision's deed restrictions or lease agreements on other types of residential developments and a copy of the deed restrictions or lease agreements.

   b. Records showing repeated efforts to enforce a subdivision's deed restrictions or lease agreement on other types of residential developments against a non-complying resident or owner.

2. The burden of proof and the provision of evidence supporting claims of exemption from familial status requirements of the Fair Housing Acts shall be the responsibility of the qualifying residential development. The City of Glendale, in granting SCO, does not assume responsibility for gathering initial qualifying data, nor for maintaining data that may be required to prove that the qualifying residential development meets requirements of the Fair Housing Acts on any date that an allegation of discrimination in housing is brought forth. It shall be the responsibility of the qualifying residential development to prove that the requirements of the Fair Housing Acts were met on any given date. Information provided to the City by the Homeowners' Association or management agency or associations shall include:

   a. Verification of occupancy by reliable surveys and affidavits which shall be admissible in administrative and judicial proceedings for the purposes of such verification including the name and birth date of each occupant and the corresponding address of each unit within the SCO development.

b. From the list of occupants required in 35.2.1007.F.2.a, provide a list of non-conforming uses in the SCO development from the effective date of SCO approval including the date the nonconforming use was established.

c. Information necessary to prove that the development is in compliance with the requirements of the Fair Housing Acts including documentation that policies are published and adhered to that demonstrate the intent of the Fair Housing Acts.

3. At all times, at least eighty (80) percent of the dwelling units shall be occupied by at least one (1) person fifty-five (55) years of age or older per unit, regardless of any legal, nonconforming rights that may exist, as required by the Fair Housing Acts.

4. Revocation.

   Failure to comply with the conditions, stipulations or terms of the approval of an existing SCO District, is a violation of this Ordinance and will be enforced in accordance with Section 35.6.207.

35.2.1008 Glendale Centerline Overlay

A. Purpose Statement

The Overlay District provides an alternate set of development requirements to encourage development and redevelopment within the Glendale Centerline.

The intent is to facilitate private business investment, job creation, and the development of shopping and recreational opportunities in the Glendale Centerline. The Overlay District will facilitate a development review process that supports economic development initiatives, creates flexible development standards to support development or redevelopment of small and irregular parcels of land; will employ strategies to balance the protection of existing neighborhoods with new development; recognizes that distinct districts may be identified in the Glendale Centerline and provides the flexibility to implement unique development standards in each district; allows certain land uses to support investment and opportunity; and, prohibits certain land uses which may otherwise inhibit investment and improvement of individual properties.

Because it is the intent of the Overlay District to provide an alternative set of land uses and development standards in addition to the land uses and development standards within the existing zoning districts, the land uses and development standards shall serve only as an alternative to the existing land uses and development standards and shall not be combined with any land uses or development standards in the existing zoning district.

At the pre-application meeting with the City's Development Review Team, the property owner can decide to meet all conditions of the property's existing zoning, or choose to meet all conditions of the property's Overlay District. Should development of property occur under the Overlay District any and all requirement of the underlying zoning district are superseded in the approval of development according to the Overlay District. No combination of existing zoning and Overlay District land uses and/or development standards shall be permitted. Further, once development occurs under the Centerline Overlay District, it shall require a public hearing, as defined in Section 35.6.207, to opt out of the Centerline Overlay District. It is important to remember that the property owner may continue to utilize the existing zoning within the Glendale Centerline boundaries unless the Overlay District is selected.

The Overlay District is intended to be applied only in the Glendale Centerline, and as such is not appropriate to be approved outside of the geographic area bounded by Myrtle Avenue on the north, 43rd Avenue on the east, Ocotillo Road on the south, and 67th Avenue on the west.

B. Distinct character areas within the Glendale Centerline Overlay District.

Within the Glendale Centerline Overlay District there are four character areas, each with their own unique development standards:

Table 2.1000-1: Glendale Centerline Overlay Character Areas	
Character Area	**Character Area Limits**
Midtown	(43rd to 51st Avenues)
Beet Sugar	(51st to 55th Avenues)
Historic Downtown	(55th to 59th Avenues)
Market	(59th to 67th Avenues)

C. Permitted uses.

Table 2.1000-2: Glendale Centerline Overlay Permitted Uses				
Land Use	**Key: P = Permitted, S = Subject to Conditions, C = Conditional Use Permit, A = Accessory Use, X = Prohibited** **Distinct Character Areas within the Glendale Centerline Overlay Districts**			
	Midtown 43rd—51st Avenues	***Beet Sugar 51st—55th Avenues***	***Historic Downtown 55th—59th Avenues***	***Market 59th—67th Avenues***
RESIDENTIAL AND LODGING				
Bed and Breakfast Establishments	X	P	P	P
Residential Care Facilities (includes congregate care, nursing homes and assisted living facilities by geographic area)	P	P	X	P
Hotels including conference and convention facilities. A Conditional Use Permit shall be required for the use within 500 feet of residentially zoned property	P	P	P	P
Residential above the first floor in conjunction with non-residential uses on the ground floor	P	P	P	P
Residential on the ground floor	P	P	P	P
GENERAL RETAIL				
New merchandise sold in department stores, drugstores, pharmacies, and retail establishments selling toys, flowers, gifts, stationary, jewelry, leather, apparel, shoes (including repair), china, glassware, pottery, crafts, cigars, yard goods, hardware/paint/glass/tools/home improvement, pets, hobbies, art supplies, video sales and rental, music (including incidental recording, instruction, and instrument repair), books/magazines/newspapers, sporting goods, bicycles, medical equipment sales/rentals and health supplies, cameras, electronics, office and business supplies and	P	P	P	P

Table 2.1000-2: Glendale Centerline Overlay Permitted Uses				
Land Use	Key: P = Permitted, S = Subject to Conditions, C = Conditional Use Permit, A = Accessory Use, X = Prohibited Distinct Character Areas within the Glendale Centerline Overlay Districts			
	Midtown 43rd—51st Avenues	*Beet Sugar 51st—55th Avenues*	*Historic Downtown 55th—59th Avenues*	*Market 59th—67th Avenues*
equipment repair, household appliance sales and service, and other similar retail goods and services				
Previously owned merchandise and goods including antiques, collectibles, coins, stamps, and consignment stores, excluding pawn shops, second hand, and thrift stores	P	P	P	P
Automotive - retail sales of previously owned automobiles, including boats, motorcycles, and recreational vehicle dealerships	X	X	X	X
Automotive - retail sales of new automobiles, including boats, motorcycles, and recreational vehicle dealerships	X	X	X	X
Automotive - minor repair. All repairs shall be within a fully enclosed permanent building	S	S	X	S
Automotive supply stores, without incidental installation of parts	P	P	X	P
Adult Businesses	X	X	X	X
EATING AND DRINKING ESTABLISHMENTS				
All types of eating establishments providing meal service from an on-site operating commercial-grade kitchen, and/or dessert service from an on-site commercial-grade freezer/refrigerator facility including beer and wine tasting, with or without incidental sales of alcohol including micro-breweries, outdoor dining, but with no drive-thru including incidental reception room space and off-site catering. Live entertainment, including outdoor amplification, and/or dancing is permitted as an accessory use, subject to Conditional Use Permit (CUP) approval if the site is located within 500 feet of a residentially zoned property. During the CUP process, the city will work with the applicant on mitigation measures and enforcement protocol	S	S	S	S
FOOD AND LIQUOR SALES				
Specialty foods, including imported and/or unique food products, produce, candy, baked goods, meat, etc., specialty liquor sales involving off-sale unique brands of beer, wine, and distilled spirits	P	P	P	P

Table 2.1000-2: Glendale Centerline Overlay Permitted Uses				
Land Use	Key: P = Permitted, S = Subject to Conditions, C = Conditional Use Permit, A = Accessory Use, X = Prohibited Distinct Character Areas within the Glendale Centerline Overlay Districts			
	Midtown 43rd—51st Avenues	*Beet Sugar 51st—55th Avenues*	*Historic Downtown 55th—59th Avenues*	*Market 59th—67th Avenues*
(establishments exceeding 10,000 square feet of sales area require a Conditional Use Permit)				
GENERAL OFFICE, FINANCIAL AND HEALTH OR PERSONAL SERVICES				
Administrative, business and professional offices, secretarial services, realtors/real estate offices, consulting services, travel and ticket agencies	P	P	P	P
Financial institutions, banks, savings and loans, credit unions (excluding deferred presentment companies), travel bureaus, visitor and information center, government offices and services, police and fire stations	P	P	P	P
Medical/dental/optical offices, clinics and laboratories, licensed holistic health care establishments (excluding massage establishments as primary uses), veterinary services (excluding animal boarding or outdoor pens, runs or cages)	P	P	P	P
Personal Services	P	P	P	P
Tattoo Parlors	X	X	X	X
Halfway Houses	X	X	X	X
Hookah Lounges	X	X	X	X
Hospitals	C	C	C	C
Emergency Medical Care - 24 Hour Operations	P	P	P	P
SPECIALTY SERVICES				
Photographic, developing and photocopy services, watch, clock, and small appliance repair, locksmiths	P	P	P	P
Music Recording/Practice Studios	P	P	P	P
Custom Furniture/Upholstery and Repair	P	P	P	P
Picture Framing Shops	P	P	P	P

Table 2.1000-2: Glendale Centerline Overlay Permitted Uses				
Land Use	Key: P = Permitted, S = Subject to Conditions, C = Conditional Use Permit, A = Accessory Use, X = Prohibited Distinct Character Areas within the Glendale Centerline Overlay Districts			
	Midtown 43rd—51st Avenues	*Beet Sugar 51st—55th Avenues*	*Historic Downtown 55th—59th Avenues*	*Market 59th—67th Avenues*
Postal services including parcel delivery (public or private)	P	P	P	P
Dry cleaning and laundering services without on-site cleaning	P	P	P	P
Home Occupations (Class I)	P	P	P	P
ENTERTAINMENT, RECREATIONAL AND CULTURAL				
Dance and Martial Arts Studios	P	P	P	P
Athletic Clubs, Health Studios, Yoga	P	P	P	P
Galleries and studios pertaining to artists, craft workers, and photographers (including incidental developing and printing), libraries, museums, etc. including incidental retail sale of merchandise pertaining to the primary use	P	P	P	P
Entertainment establishments (including internet cafes) with incidental sale of food or alcohol. Live entertainment, including outdoor amplification, and/or dancing is permitted as an accessory use, subject to Conditional Use Permit (CUP) approval if the site is located within 500 feet of a residentially zoned property. During the CUP process, the city will work with the applicant on mitigation measures and enforcement protocol	S	S	S	S
Parks and General Recreation	P	P	P	P
Public assembly, including amphitheaters, auditoriums, and exhibition halls. A Conditional Use Permit shall be required for the use within 500 feet of residentially zoned property	P	P	P	P
Indoor recreation and sports facilities. A Conditional Use Permit shall be required for the use within 500 feet of residentially zoned property	P	P	P	P
Theater, live and motion picture. A Conditional Use Permit shall be required for the use within 500 feet of residentially zoned property	P	P	P	P

Table 2.1000-2: Glendale Centerline Overlay Permitted Uses				
Land Use	Key: P = Permitted, S = Subject to Conditions, C = Conditional Use Permit, A = Accessory Use, X = Prohibited Distinct Character Areas within the Glendale Centerline Overlay Districts			
	Midtown 43rd—51st Avenues	*Beet Sugar 51st—55th Avenues*	*Historic Downtown 55th—59th Avenues*	*Market 59th—67th Avenues*
SOCIAL, PROFESSIONAL, AND RELIGIOUS ORGANIZATIONS				
Churches, synagogues, temples, missions, religious reading rooms, and other religious activities	P	P	P	P
Social, professional and youth organizations that conduct group and/or membership meetings on the premises, including political, veterans, civic, labor, charitable, and similar organizations	P	P	P	P
EDUCATION				
Arts and Crafts Schools and Colleges	S	S	S	S
Business Colleges and Professional Schools (excluding Vocational Schools)	S	S	S	S
Vocational Schools	S	S	S	S
Daycare Facilities, In Home	S	S	S	S
Day Care Facilities, Commercial	P	P	P	P
Public or private schools for primary and/or secondary education	X	X	X	X
COMMUNICATION FACILITIES				
Broadcasting Studios, Radio, Television, Internet	P	P	P	P
Communication Towers	C	C	C	C
Alternative tower structures. Also subject to Section 35.3.105.D.	P	P	P	P
TRANSPORTATION AND MISCELLANEOUS SERVICES				
Car rental services, excluding maintenance or repair	P	P	P	P
Parking lots and structures (municipal)	P	P	P	P

Table 2.1000-2: Glendale Centerline Overlay Permitted Uses				
Land Use	Key: P = Permitted, S = Subject to Conditions, C = Conditional Use Permit, A = Accessory Use, X = Prohibited Distinct Character Areas within the Glendale Centerline Overlay Districts			
	Midtown 43rd—51st Avenues	*Beet Sugar 51st—55th Avenues*	*Historic Downtown 55th—59th Avenues*	*Market 59th—67th Avenues*
Parking lots and structures (commercial with fees)	P	P	P	P
Rideshare stands (incidental feature integrated into primary use)	P	P	P	P
Public transit stations and stops	P	P	P	P
Other uses that meet the intent of the UDC as approved by the Development Services Director or designee	P	P	P	P

D. Development standards.

Table 2.1000-3: Glendale Centerline Overlay Development Standards									
Character Areas	Minimum Lot Area [1]	Maximum Lot Area	Minimum Setbacks [2]				Building Height [3]	DU/AC	FAR
			Front	Rear	Side	Street			
Midtown 43rd to 51st Avenues	N/A	N/A	0	0	0	0	70	50	2 [4]
Beet Sugar 51st to 55th Avenues	N/A	N/A	0	0	0	0	50	25	2 [5]
Historic Downtown 55th to 59th Avenues	N/A	N/A	0	0	0	0	60	40	2 [6]
Market 59th to 67th Avenues	N/A	N/A	0	0	0	0	50	25	2 [4]

[1] No minimum lot size is required, but each lot must have a minimum of twenty-five (25) feet of frontage on a public street. For the purpose of this section, an alley is not considered a public street.

[2] 30 feet to property within a residential zoning district, which includes Agricultural, Single Residence, Mixed Residence, or Multiple Residence, or a detached single-family dwelling unit.

[3] Maximum height of accessory structures is 15 feet.

[4] A maximum Floor Area Ratio (FAR) of 4.0 can be achieved through performance incentives given for the following amenities: public art, open space, LEED certified buildings, and shared parking at the rate of .50 additional FAR for each amenity provided.

[5] A maximum FAR of 4.0 can be achieved through performance incentives given for the following amenities: public art, open space, LEED certified buildings, adaptive reuse, and shared parking at the rate of .50 additional FAR for each amenity provided.

[6] A maximum FAR of 4.0 can be achieved through performance incentives given for the following amenities: public art, open space, LEED certified buildings, adaptive reuse, and compatible architecture at the rate of .50 additional FAR for each amenity provided.

E. Performance Standards.

The following standards and restrictions shall apply to all properties within this district:

1. Unless otherwise prohibited or regulated by any other ordinance, provision, agreement, or conditional use permit, outdoor displays are permitted subject to the following restrictions and may be required to be screened from public view:

    a. All products displayed outdoors shall be customary, accessory, and incidental to those sold and displayed in a primary business being conducted in a permanent building on the property.

    b. Outdoor displays shall not interfere with pedestrian access-ways, fire lanes, parking spaces, driveways, landscape areas, or traffic visibility at driveway entries and street intersections.

    c. All pedestrian access-ways must maintain a minimum unobstructed dimension of five (5) feet in width, unless as otherwise required by the City of Glendale Approved Building and Fire Codes.

    d. Items shall not obstruct the normal ingress and egress, including handicapped access, from the business or any other property.

    e. Hours of daily operations shall be limited to the normal business hours of the primary business.

2. All sales transactions and service activities shall be within an enclosed permanent building on the property, except parking lots.

3. There shall be no manufacturing, compounding, processing, or treatment of products, except as otherwise permitted, and other than that which are clearly incidental to a retail store or business.

4. Outdoor Sidewalk Cafes.

    a. Purpose. It is the policy of the City to encourage the establishment of outdoor sidewalk cafes on private property and within public rights-of-way.

    b. Outdoor sidewalk cafes are permitted on any public right-of-way within the Overlay District upon application and issuance of any required permits.

    c. Standards.

        i. Outdoor sidewalk cafes must not obstruct sidewalk pedestrian traffic or create public health and safety hazards. All sidewalks must maintain the minimum

dimensions as specified by this Code or required by the City of Glendale Approved Building and Fire Codes..

ii. Outdoor sidewalk cafes may be open, partially covered, or enclosed by means of umbrellas, awnings, canopies, or similar protective structure subject to the requirements found in the City of Glendale Approved Building and Fire Codes..

iii. Outdoor sidewalk cafes must be used only as seating areas. Storage, kitchen, or restroom uses are not allowed. The seating must be movable.

iv. All outdoor sidewalk cafes must be level with the sidewalk, and handicap accessible.

v. Decorative/accent lighting may be incorporated into the outdoor cafe structure, awning, canopy, etc., and must meet all Glendale City Code requirements.

5. Any change to the exterior color of the building shall be subject to Design Review approval.

F. Parking.

1. Due to the pedestrian nature of the Glendale Centerline Overlay District, there are no off-street parking requirements in the Beet Sugar and Historic Downtown character areas for businesses located within this zoning district when development is in conformance with the Glendale Centerline Overlay District rather than the underlying zoning district.

2. Parking Space Dimension.

All parking spaces shall be striped as specified by the City of Glendale Engineering Design Standards.

G. Signs.

1. Refer to Section 35.4.300.

35.2.1009 Scenic Corridor

A. Purpose Statement.

The Scenic Corridor seeks to protect view corridors, preserve existing natural areas, washes, rivers, creeks, desert, hills and mountains. The Scenic Corridor prohibits Billboard Signs and Digital Billboard Signs.

B. Loop 101 Scenic Corridor.

1. Boundaries:

a. Both sides of that portion of the Loop 101 (Agua Fria Freeway) located between 51st Avenue and Bell Road. The Scenic Corridor extends ¼ -mile on both sides of the freeway. This distance is measured from the freeway right-of-way.

C. Permitted Land Uses.

1. Land use shall conform to the uses permitted in the underlying zoning district, except that Billboard Signs and Digital Billboard Signs are prohibited.

35.2.1010 Sonorita Community

A. Intent and Applicability.

1. Intent. It is the intent of the Sonorita Community Overlay District to acknowledge the historical residential use in the area, promote the continuance and limited expansion of single-family residential uses by encouraging the maintenance and improvement of the residential environment, protecting and improving the vitality of the community. The Overlay District encourages continued residential uses in the community.

   It is also the intent to facilitate single-family residential redevelopment in the Sonorita community. The Sonorita Community Overlay District will facilitate a development review process which encourages redevelopment and residential additions; will employ strategies to balance the protection of the existing community with new development; provides flexibility to implement unique development standards in the community; allows certain land uses to support investment and opportunity.

   It is the intent of the Sonorita Community Overlay District to permit residential uses and establish residential development standards in addition to the existing permitted uses and development standards within the existing zoning district.

   The Sonorita Community Overlay District does not hinder a property owner's ability to utilize existing zoning.

2. Applicability. The Sonorita Community Overlay District will apply only to the geographic area bounded by Grand Avenue on the north and east, Maryland Avenue on the south, and 59th Avenue on the west.

B. Boundaries.

The Sonorita Community Overlay District is bounded by Grand Avenue on the north and east, Maryland Avenue on the south, and 59th Avenue on the west which is zoned M-1 (Light Industrial).

C. Existing Zoning.

1. The existing zoning in the Sonorita Community Overlay District is M-1 (Light Industrial). The Sonorita Community Overlay District affirms that existing zoning and in no way limits a property owner from utilizing the uses and standards associated with the M-1 District.

D. Permitted uses.

1. An existing detached single-family home which is the only dwelling unit on the lot, parcel, or parcels it is constructed on.

E. Uses Subject to Conditions for Single-Family Homes.

1. Home Occupations (Class I): See Section 35.3.204.G.

F. Accessory Uses for Single-Family Homes.

Uses which are customary and incidental to the principal use of the property. All accessory uses are subject to Section 35.3.200.

1. Fences and walls.

   a. Front yard: Maximum height - three (3) feet

b. Side or rear yard: Maximum height - six (6) feet, except eight (8) feet when abutting an arterial street.

2. Garage or enclosed storage.
3. Swimming pool.
4. Satellite earth station.
5. Amateur radio tower.
6. Home Occupation (Class I); see Section 35.3.204.G.
7. Yard sales, subject to Section 35.3.300.
8. Household pets.

G. Development Standards for Single-Family Homes.

1. Minimum Net Lot Area - 6,000 square feet
2. Minimum Lot Width - 50 feet
3. Minimum Lot Depth - 80 feet
4. Minimum Setback

a. Front - 15 feet to livable, 20 feet to garage or carport

b. Rear - 10 feet

c. Side - 3 feet and 3 feet

d. Street Side - 3 feet

5. Maximum Structure Height - 30 feet
6. Maximum Percentage Lot Coverage - 80 percent

H. Parking for Single-Family Homes.

1. Due to the pedestrian nature of the Sonorita Community Overlay District, there are no off-street parking requirements for single-family homes in the Overlay District.

I. Prohibited uses.

No new single-family homes will be permitted to be built in the Sonorita Community Overlay District.

ARTICLE 3 - SUPPLEMENTAL USE PROVISIONS

35.3.000 GENERAL PROVISIONS

35.3.001 Intent

It is the intent of this section to identify those land uses and to provide specific criterion and conditions to ensure that, if permitted, they will contribute to the health, safety, and general welfare of the City and its residents. The requirements specified herein are in addition to those specified in the corresponding zoning district. In the event of conflict between these standards and the underlying zoning district standards, the provisions of this section shall apply.

35.3.002 General Applicability and Regulation

The regulations contained within this Article shall apply to the associated permitted and conditional uses as stated in Article 2 Zoning Districts.

35.3.100 SPECIFIC USE CONDITIONS BY USE CATEGORY

35.3.101 Agricultural

This Section contains specific use conditions and regulations for permitted uses within the Agricultural use category as provided in Article 2 – Zoning Districts.

A. **Agriculture, Stables**

1. Minimum parcel size three (3) acres

B. **Agritainment**

1. Minimum acreage: 10 acres
2. Activities are secondary to and/or in conjunction with the principal agricultural use.
3. The Agritainment use shall only be operated by the owner or leasee of the property on which it is located.
4. Overnight accommodations shall not be allowed as part of the Agritainment use.
5. An event or activity occurring one (1) time per year, not exceeding five (5) days in duration, shall not be considered Agritainment and shall be required to obtain a temporary use permit prior to holding the event or initiating the activity.

35.3.102 Residential

This Section contains specific use conditions and regulations for permitted uses within the Residential use category as provided in Article 2 – Zoning Districts.

A. **Dwelling, Single-Family Detached**

1. Within the R-2, R-3, and R-4 Districts, any parcel of land having an area or average width less than that required by the development standards of the zoning district in which said parcel is located, and which parcel was legally established at the time it came under the provisions of this chapter, shall be permitted to place a single-family detached dwelling, provided, however, that all development shall adhere to the development standards of the most comparable zoning district to the lot size of the

subject parcel (i.e. if a parcel in the R-2 zoning district is 4,000 SF in area, a single family dwelling on said parcel would need to adhere to the development standards of the R1-4 zoning district).

B. **Dwelling, Live/Work**

1. All work activities and spaces shall adhere to Section 35.3.204.G – Home Occupations

C. **Dwelling, For Rent Community**

1. Permitted Density range: 10-14 du/ac.
2. Design Standards

   Unless modified within the information below, development of this use type shall comply with the provisions of general applicability to that of a Multiple Residence development.

   a. Residences within For-Rent-Communities shall be predominately grouped around pedestrian-oriented landscaped pathways and courtyards to create a sense of place, and connectivity within the greater development.

   b. Each For-Rent-Community shall provide a minimum of three (3) architectural styles for the residences that are genuinely distinct from another and provide varying rooflines. A minimum of three (3) color schemes shall also be used for each architectural style to add variety and visual interest to the overall development.

   c. Each residence shall feature four-sided detailing including but not limited to masonry, shutters, corbels, column details, and gable end detailing, appropriate for the architectural styles of the overall development.

   d. The massing of buildings within the development shall include articulated facades and varying roof forms.

   e. Common open space areas shall be distributed throughout the development in convenient and accessible locations for residents to use and enjoy.

   f. All residences shall include a private yard enclosed by a 6-foot fence or wall.

   g. Minimum common active open space shall be provided at a ratio of 125 SF per bedroom of the overall development. Minimum private yard space shall consist of 200 SF for 1 bd units and 300 SF for 2 bed units and above. The minimum depth of private yards shall be 8 feet.

   h. Individual buildings shall be clustered and oriented toward pedestrian and open space pathways, and they shall comply with all applicable building code requirements. Between the buildings, will be laid out with sidewalks, landscaping, shading, and a pattern of shared common area spaces. The minimum unobstructed sidewalk width shall be five (5) feet in width.

   i. Primary entrances into each For-Rent-Community shall incorporate enhanced landscaping features and alternative paving materials to create a distinct entry feature.

   j. Perimeter walls, constructed of masonry, will be of a design complementing the existing surrounding area while using materials and colors that are consistent with

the on-site architecture. Walls shall undulate or use pilasters to break up long linear expanses along street frontages.

D. **Dwelling, Modular Home**

1. Design Standards

Unless modified within the information below, development of this use type shall comply with the provisions of general applicability to that of a Single Residence development.

a. Garage & Carports

i. Garages or carports shall be set back at least five (5) feet behind the front wall of the house or front edge of an unenclosed porch.

ii. Garages placed flush with the front wall of the house shall incorporate at least one of the design/detail features below:

(a) A decorative trellis over the entire garage.

(b) A balcony that extends out over the garage and includes columns.

(c) Two separate doors for two car garages instead of one large door.

(d) Decorative windows on the garage door.

(e) Decorative details on the garage door. Standard squares on a garage door will not qualify as a decorative detail.

(f) A garage door color (other than white) that matches or complements the color of the house.

(g) Other design techniques that effectively deemphasize the garage, as determined by the Development Services Director or designee.

i. The garage face shall occupy no more than 50 percent of the ground-level facade facing the street.

b. Building Facades

i. Building facades visible from a public street shall employ techniques to recess or project individual windows from the facade or incorporate window trim that features color that contrasts with the base building color. Exceptions will be considered where buildings employ other distinctive window or facade treatment that adds depth and visual interest to the building.

c. Architectural Details

i. Provide for architectural details that add visual interest to the neighborhood and are well proportioned to achieve good human scale. Specifically, incorporate at least three of the following detail elements into the facade of the house:

(a) Decorative entry.

(b) Decorative porch design, including decorative columns or railings.

(c) Bay windows or balconies.

(d) Decorative door design including transom and/or side lights or other distinctive feature.

(e) Decorative roofline elements including brackets, multiple dormers, and chimneys.

(f) Decorative building materials, including decorative masonry, shingle, brick, tile, stone, or other materials with decorative or textural qualities.

(g) Landscaped trellises or other decorative elements that incorporate landscaping near the building entry.

(h) Distinctive paint schemes.

(i) Exceptions: Other decorative facade elements or details that meet the intent and standards as determined by the Development Services Director or designee.

E. **Mixed Use Residential**

1. Mixed-use residential uses shall be located in the same building and shall include residential uses in conjunction with retail sales or retail services or office uses, as described in provision 9 below.
2. Mixed use residential development shall only be permitted on parcels abutting arterial or collector roadways.
3. Non-residential uses shall be limited to the floor(s) of the building below the residential use, or adjacent to ground floor residential uses.
4. At least fifty percent (50%) of the gross floor area of the mixed-use residential building shall be for residential uses.
5. The maximum residential density shall be the same as applies in the zoning district where the development is located.
6. Ground-floor residential uses fronting a public street or walkway, where present, shall be separated from the street by landscaping, steps, porches, grade changes, and/or low ornamental fences or walls in order to create a private yard area between the sidewalk and the front door.
7. The aggregate of the non-residential use or uses shall be no greater than fifteen thousand (15,000) square feet in gross floor area.
8. The total number of required off-street parking spaces for a mixed-use residential development shall be equal to the sum of the required parking for each use as if provided separately, unless modified per section 35.4.000.
9. The residential and non-residential uses permitted within a mixed-use residential development are as provided by the zoning district where the mixed-use development is located, with the following additions:

    a. Coffee Shop, Café or Bakery

    b. Financial Institution

    c. Office, Business or Professional

    d. Personal Services

    e. Retail, General

f. Any other non-residential use listed under the General Commercial and Professional Office Use Category in Table 2.500-1 shall require a Conditional Use Permit.

F. **Group Homes**

To permit the establishment of group homes in residential neighborhoods, while preserving the residential character of the community.

1. Definitions.
   Residential Care Home: A residential home suitable for accommodating six (6) to ten (10) adults or minor children with disabilities or who are minors without disabilities. This definition shall include those residences that are licensed by the State of Arizona, including but not limited to assisted living homes and sober living homes or awarded an Oxford House Charter, but shall not include any group living arrangement for unrelated individuals who are not disabled, including but not limited to halfway/correctional/sex offender transitional facilities or shelter care facilities for people at risk.

   Residential Care Center: A facility suitable for accommodating eleven (11) or more adults or minor children with disabilities or who are minors without disabilities. This definition shall include those residences that are licensed by the State of Arizona, including but not limited to assisted living homes and sober living homes or awarded an Oxford House Charter, but shall not include any group living arrangement for unrelated individuals who are not disabled, including but not limited to halfway/correctional/sex offender transitional facilities or shelter care facilities for people at risk.

   Group Care Facility: A residential home for two or more unrelated individuals under supervised care and/or treatment (including but not limited to those that have been adjudicated (i.e. placed by court-order), beyond that which would be provided in the confines of a traditional residential setting, who do not qualify as a Residential Care Home or Residential Care Center, in which living facilities and sleeping rooms are provided; and which may provide select services, such as, but not limited to, meals, services to promote emotional support, life skills development and/or employment training. This shall include halfway/correctional/sex offender transitional facilities or shelter care facilities for people at risk.

2. Notwithstanding the definition of "Family" in Section 35.8.004 of this Code, homes of six or fewer persons receiving special care on a 24-hour-per-day basis for physical, mental, or developmental disabilities shall be considered a single-family residence for the purposes of this title. The limitation of six or fewer persons does not include the operator or members of the operator's family or staff.
3. Residential Care Homes shall be permitted without conditions in the SR, R1, R-2, R-O, and MH Zoning Districts, subject to issuance of a business license showing compliance with the requirements of this subsection.
4. Residential Care Centers shall be permitted without conditions in the R-3, R-4, R-5, C-1, and C-2 Zoning Districts, subject to issuance of a business license showing compliance with the requirements of this subsection.
5. Group Care Facility may be permitted in the R-3, R-4, R-5 and C-3 zoning districts subject to obtaining a Conditional Use Permit and showing compliance with the requirements of this subsection.
6. Requirements:

a. All establishments must obtain a business license as well as a certificate of occupancy as required by City building codes.

b. If State licensing is required, proof of such licensure shall be provided to the Planning Division within the Development Services Department.

c. No such home or center shall be located on a lot with a property line within 1,200 feet of another such residential care home, residential care center or group care facility.

d. The establishment must meet the minimum off-street parking requirements as set forth in Section 35.4.000.

e. An individual required to register as a sex offender and classified as a Level II or Level III community risk (intermediate to high risk) is not permitted to live in a residential care home or residential care center.

f. An administrative record of each Residential Care Home, Residential Care Center or Group Care Facility shall be maintained with the Planning Division within the Development Services Department.

g. The City reserves the right to revoke authorization to operate.

7. Disability accommodation.

   i. A disability accommodation from a development standard or separation requirement in association with a Residential Care Home or Facility shall not be authorized unless the Board of Adjustment shall find upon sufficient evidence all of the following:

      (a) The requested accommodation is requested by or on the behalf of one (1) or more individuals with a disability protected under Federal and Arizona Fair Housing Laws (42 U.S.C. § 3600 et seq. and A.R.S. § 41-1491 et seq.);

      (b) The requested accommodation is necessary to afford an individual with a disability equal opportunity to use and enjoy a dwelling;

      (c) The standard or requirement unduly restricts the opportunity for a person with a disability from finding adequate housing within the City of Glendale;

      (d) The requested accommodation does not fundamentally alter the nature and purpose of the UDC of the City of Glendale;

      (e) The requested accommodation will not impose an undue financial or administrative burden on the city, as "undue financial or administrative burden" is defined in Federal or Arizona fair housing laws (42 U.S.C. § 3600 et seq. and A.R.S. § 41-1491 et seq.) and interpretive case law;

   ii. The profitability or financial hardship of the owner/service provider of a facility shall not be considered in determining whether to grant a disability accommodation.

   iii. The requested accommodation must comply with all applicable building and fire codes.

iv. The requested accommodation must not, under the specific facts of the application, result in a direct threat to the health or safety of other individuals or substantial physical damage to the property of others.

v. The requested accommodation shall be made in any form, however, upon receipt, the City may require the requestor to comply with the procedures ordinarily followed, including the submittal of an application, including the required fee, as published in the fee schedule, and comply with all public notification requirements.

8. Where legally required, the Residential Care Home or Facility is licensed by, certified by, approved by, registered with, or under contract with a Federal, State, or local government and evidence of such is provided to the Planning Department within sixty (60) days of approval of the Planning Department;
9. No exterior change which would alter its residential character shall be made to the exterior of the building(s) and the grounds;
10. The location of the Residential Care Home or Facility has been approved by the Planning Department; and
11. An administrative record of each Residential Care Home or Facility shall be maintained with the Planning Department.

G. **Model Home Complex**

1. The complex shall be subject to administrative approval.
2. The complex shall only be used to market homes being built in the subdivision in which it is located. Off-site home sales may be permitted subject to approval of a Conditional Use Permit.
3. A model home complex plan is required which contains information as required by the Development Services Director or designee. The Development Services Director or designee shall review and approve the plan prior to the issuance of building permits for models.
4. A single temporary flagpole may be erected on the model home complex. The maximum flagpole height shall be sixty (60) feet. The flagpole will be permitted for a maximum of three (3) years from the date of approval of the model home complex. The flag on this flagpole shall not have a flag length which is more than 25 percent of the flagpole height.
5. Prior to occupancy as a single-family residence, all model homes shall conform to all provisions of this ordinance and any temporary parking, office, lighting, fencing, flagpole, or other similar improvements shall be removed.

35.3.103 General Commercial and Professional Office

This Section contains specific use conditions and regulations for permitted uses within the General Commercial, Entertainment, and Professional Office use category as provided in Article 2 – Zoning Districts.

A. **Adult Businesses**

1. Findings, Purpose and Intent:

a. Sexually oriented (adult) businesses cause secondary effects on the community which are detrimental to the public health, safety and welfare, including unlawful

and unhealthy activities; unlawful sexual activities, including public sexual indecency and prostitution; sexual encounters of a casual nature; and risk of spread of sexually transmitted and possibly fatal diseases.

b. Areas of the community surrounding adult businesses are beset by higher incidences of sexually related crimes, street crime, and property crimes; greater demand on police resources; lower property values; litter from sexual devices, materials and packaging; and other problems.

c. Incidents are reported of lack of strict age verification procedures and of admission of underaged juveniles as patrons into an adult entertainment establishment.

d. Adult businesses require reasonable locational restrictions and spacing requirements to protect residential areas and other uses which are frequented by children from the documented negative secondary effects which occur with these businesses and to protect and preserve the public health, safety and welfare.

e. Preventing concentration of adult businesses in proximity to each other and on the same site or in the same building is a reasonable means to prevent intensification of negative secondary effects from these businesses in the immediately surrounding area and on the community generally.

f. Establishing regulations on the location of adult businesses will disperse any secondary effects; allow more effective utilization of police resources; allow more effective law enforcement monitoring of the adult businesses and prevention of illegal negative secondary effects of adult businesses; and will facilitate enforcement of the provisions of this UDC and other state and local laws, thereby furthering the substantial governmental interest in protecting the public health, safety and welfare.

g. It is the intent of this section to regulate the location of adult business establishments so as to protect and promote the health, safety, and general welfare of the citizens of the city and its visitors, and to establish reasonable and uniform regulations to prevent the concentration of adult businesses and their secondary effects.

h. This section has neither the purpose, nor effect of imposing a limitation or restriction on the content of any communications or communicative materials, including sexually oriented business.

i. It is not the purpose or intent of this section either to restrict or deny lawful access by adults to sexually oriented materials or to deny accesses by the distributors of sexually oriented materials to their intended market.

j. It is not the purpose or intent of this section to impose judgment on the content or merits of any constitutionally protected form of speech or expression.

2. Prohibited locations of any type of adult use or sexually oriented business:

a. An operator of a sexually oriented business is in violation of this ordinance if the business is operated in a zoning district, which does not expressly permit that type of adult use in said zoning district.

b. In addition to being located in a proper zoning district, an operator commits a violation if the adult business is operated within one thousand (1,000) feet of an existing:

i. Church;

ii. Public or private school;

iii. Public park;

iv. Agricultural or residentially zoned property;

v. Child care center;

vi. Designated historic district; or

vii. Other adult business.

c. The measurement of the one thousand (1,000) foot distance for the purposes of subparagraph b. above, shall be made in a straight line, without regard to intervening structures or objects, from the nearest portion of the property line of an existing church, school, child care center, or adult business, or from the boundary line of a public park, agricultural or residentially zoned property or designated historic district, to the nearest property line of the property sought to be used as a sexually oriented business.

d. The measurement of the one thousand (1,000) foot distance for the purposes of subparagraph b. above shall also include churches, schools, childcare centers, agricultural or residentially zoned properties, public parks, or other adult uses which are located in an adjoining city or county which are within the one thousand (1,000) foot distance of the nearest property line of the property sought to be used for an adult use or sexually oriented business within the City of Glendale.

e. A person commits a violation if they cause or permit the establishment or operation of more than one (1) adult use or sexually oriented business in the same building or structure, or on any portion of the site.

3. Submittal or application for adult use or sexually oriented business:

a. Application for adult business shall be submitted to the planning department for review. The application shall include a narrative statement describing the nature of the business for determination of conformity with a listed adult business use. The application shall also include a site plan and Maricopa County assessor parcel map clearly identifying surrounding properties with depiction of the required distances from the uses detailed in paragraph b. of this section. This application shall state the distance from each of the uses identified in paragraph b. of this section.

b. Review of site application for completeness of information shall be completed within ten (10) days of the submission of the application. The applicant will be notified by first class mail if the application is complete or requires additional information.

4. Provisions for existing nonconforming uses:

a. An adult business otherwise lawfully operating prior to the adoption of this ordinance, that was lawfully established and maintained under prior UDC provisions within the one thousand (1,000)-foot distance regulation of subsection b. above, shall be deemed a legal nonconforming use. Such nonconforming use shall not be increased, enlarged, extended or altered except the use may be

voluntarily changed by the operator to a conforming use within the property's zoning district which meets all other applicable requirements of city.

b. If two (2) or more adult businesses are located within one thousand (1,000) feet of one another and otherwise lawfully operating, the adult business which was first established and continually operating is deemed the conforming use and the later established adult business is deemed the nonconforming use. Whether the later established adult business is entitled to be established or maintained as a legal, nonconforming use shall be determined under the requirements of 4.a. above, Section 35.7.100, Legal Non-Conformity, and state law.

B. **Animal Pet Facilities**

1. Animal Supply and Feed Store:

a. In the C-2 District, animal supply and feed stores shall be limited to indoor sales only.

2. Animal Pet Day Care Facility:

a. When located adjacent to a residential or agricultural district, every building shall be set back at least fifty (50) feet from the closest residential or agricultural lot line. The space shall be designed so the average sound level emitted from the interior of the facility shall not exceed forty-five (45) decibels at any point fifty (50) feet from the exterior walls and roof of the facility. Building plans submitted for a pet day care facility shall include a certified statement from registered architect or engineer that a building will meet the forty-five (45) decibel requirement.

b. The facility shall be constructed so that direct unaccompanied access by animals to outside areas of the building is not allowed.

c. Animals must be accompanied by a facility employee or pet owner at all times when outside the building.

d. Use of the facility for overnight boarding shall require a CUP.

e. All outdoor recreation and/or boarding areas shall require a CUP.

C. **Automotive and Recreational Vehicle Rentals**

1. When ancillary to a Permitted principal use, six (6) or fewer vehicles may be made available for rent; for-rent vehicles shall not occupy required parking spaces.
2. On-site storage, maintenance, and washing of rental vehicles shall occur no closer than 150 feet from a residential use and shall not be conducted between any adjacent street and the front of the principal building.

D. **Automotive and Recreational Vehicle Sales**

1. Such use shall be located no less than 150 feet away from a single-family residential use.
2. Such use may be located less than 150 feet away from a single-family residential use with a Conditional Use Permit.
3. All repairs, testing and tuning activities shall occur indoors.

4. Outdoor sound systems, including PA systems, shall be prohibited.
5. Automotive rental facilities associated with a dealer shall be considered an allowed accessory use.

E. **Automotive, Commercial Parking Lot**

1. Overnight parking is not permitted unless a conditional use permit is secured and the lot is completely enclosed, locked and limited to passenger vehicles only

F. **Automotive Refueling Station**

1. There shall be no outdoor service or repair operations, other than the dispensing or installation of gasoline, vehicle charging or other minor services, such as tire inflation, for customers as related to such dispensing, installation or charging;
2. There shall be no sale, rental, display, long-term parking, or storage of vehicles, boats, trailers, machinery or other similar equipment; or
3. There shall be no outdoor storage or display of vehicle components and parts, supplies or equipment, except within an area defined on the project approved site plan and which extends no more than ten (10) feet beyond the principal building.
4. All fuel pumps and/or pump islands shall be covered by a canopy that matches or complements the design of the main structure.
5. Electric charging stations may count towards required parking spaces.
6. The placement of more than two such facilities per intersection of arterial or collector roadways is discouraged.
7. Facilities located on the same side of a street shall be no less than 500 feet from a similar facility.
8. Refueling pumps and associated equipment shall be no less than 150 feet from a single-family residential use.
9. Canopy lights shall be flush mounted, and the light source shall not be visible from any property line.
10. A use may combine a refueling station with a convenience store, restaurant, drive-through facility, car wash and/or automotive repair, minor only if said uses are permitted or conditionally permitted and approved in that district.

G. **Automotive Repair and Service, Major**

1. Outdoor repair areas shall be paved with concrete, asphalt, pavers, or gravel as approved by the Transportation Department.
2. Service bays shall be oriented away from public view and shall be no closer than 150 feet from a residential property.
3. Vehicle and equipment storage shall be within a building or fully screened within a solid, permanent enclosure.
4. Outdoor service or repair of vehicles shall be prohibited except in areas fully screened from public view and no closer than 150 feet from a residential property.
5. Accessory uses may include assembly and repair buildings, machine shops, paint facilities, fueling and supply facilities, parking areas, and incidental retail sales associated with the principal uses.

6. A major automotive repair use may be combined with automotive sales, outside storage or service stations only if these uses are permitted or conditionally permitted and approved in that district.

H. **Automotive Service and Repair, Minor**

1. All services shall be conducted within an enclosed building.
2. Service bays shall be oriented away from public view and shall be no closer than 150 feet from a residential property.
3. A use may combine an automotive repair, minor use with a refueling station, convenience store, restaurant - limited service, drive through and/or car wash only if these uses are permitted or conditionally permitted and approved in that district.

I. **Bar or Cocktail Lounge**

1. Use shall be located no closer than 1,000 feet from a state-designated local alcohol reception center.
2. Use shall be located no closer than 100 feet from a property zoned for single-family residential use, excluding rights-of-way.
3. Outdoor seating and patio spaces shall be no closer than 200 feet from a property zoned for residential use, excluding rights-of-way.

J. **Shopping Center, Community**

1. Performance Standards

   a. Design review for the entire site must be approved prior to issuance of building permits for any portion of the site.

   b. A project may be built in phases, but the first phase must include at least one of the major anchors for the center and a percentage of the total gross floor area for the center as determined at the time of Master Development Plan approval. Pad sites shall not be developed prior to development of the first major anchor.

   c. The shopping center must include plazas containing a total of at least one thousand (1,000) square feet per net acre of the site. The plazas shall include shade trees, seating areas, tables, and trash receptacles. At least fifty percent (50%) of the area of plazas required shall be constructed in the first phase of development.

   d. Outdoor sales and displays are prohibited, except when the following conditions are present: 1. Products and services displayed outdoors are customary, accessory, and incidental to those sold and displayed in a primary business being conducted in the permanent building on the property. 2. Outdoor sales and displays do not interfere with pedestrian access ways, fire lanes, required parking spaces, driveways, landscape area, or traffic visibility at driveway entries and street intersections.

   e. All retail and service activities shall be within an enclosed building. No outside storage of equipment or materials is permitted.

   f. Prior to certificate of occupancy of any building on the site, the developer shall provide certification that the noise level from mechanical equipment does not exceed 55 dBA (normal speaking voice) at the property line.

g. The frontages and corner setback area shall include a minimum of twenty-five (25) feet of landscaping, broken only by necessary driveways and screen walls. No parking shall be permitted within this area.

h. Where a development abuts a residential street (that is, where there are residences across a street from the center), a fifty (50) foot landscape buffer is required.

i. Where a development is immediately adjacent to a residential district with no intervening street, a twenty (20) foot landscape buffer is required.

j. All perimeter on-site improvements including landscape buffers, sidewalks, perimeter walls and parking lot screen walls must be constructed in the first phase of development.

2. Master Development Plan

a. All Shopping Center, Community developments shall include a Master Development Plan for the area. The plan, at a minimum, will address:

i. The location of all proposed buildings, plazas, and pedestrian walkways.

ii. The location of all drive aisles, parking, loading and service areas.

iii. The location of all landscaping, retention areas, entry features and perimeter walls.

iv. The location of all required public street improvements.

v. A design theme for the center showing the architecture, materials and colors that will be used.

vi. The location of all proposed free-standing identification signs.

vii. On-site lighting performance measures.

viii. The location, type and size of individual uses planned for the center.

b. The Master Development Plan shall be reviewed through the design review process. Consideration shall be given to the conformance of the proposed plan with the General Plan, the commercial design expectations, and the stated purpose of the Shopping Center, Community development.

c. The procedure for amending an approved Master Development Plan shall be the same as prescribed for the original approval.

K. **Convenience Store**

1. The maximum total square footage of the building shall be seven thousand five hundred (7,500) square feet, unless modified through the CUP process.

2. A use may combine a convenience store with a refueling station, restaurant - limited service, drive through, car wash and/or automotive repair, minor only if these uses are permitted or conditionally permitted and approved in that district.

L. **Deferred Presentment Companies**

1. The use shall be a minimum of three hundred (300) feet from any agricultural or residentially- zoned property located in the City of Glendale or in an adjoining city or county, measured from property lines.

2. The use shall be a minimum of one thousand three hundred twenty (1,320) feet from any other deferred presentment company located in the City of Glendale or in an adjoining city or county, measured from the property lines.

M. **Donation Centers**

1. All donated items shall be stored in an enclosed building.

N. **Drive-Through**

This section shall apply to all principal uses that include a drive-through facility.

1. Proposed drive throughs that are located within five hundred (500) feet of any zoned single family residential property shall require a Conditional Use Permit.
2. Menu boards shall not be placed facing the primary street. In addition, every effort shall be made to avoid placing payment and/or pick-up windows adjacent to public streets.
3. Drive through aisles that face or are adjacent to public streets shall be screened from public view by a minimum three (3) foot tall masonry wall that matches the primary structure.
4. No drive-through aisles shall exit directly onto a public right-of-way.
5. Drive through queuing length shall be approved in accordance with Section 35.4.013 of this Ordinance.
6. Clearly marked pedestrian crosswalks shall be provided for each walk-in customer access point to the facility that is located adjacent to a drive-through lane(s).

O. **Financial Institution**

1. In the PR District, financial institutions shall not exceed seven thousand five hundred (7,500) square feet.
2. In the C-1, PR, C-O, and G-O Districts, drive through services shall require a Conditional Use Permit.
3. All drive-through services shall adhere to Section 35.3.103.N and 35.4.013

P. **Health and Fitness Center**

1. Use includes both indoor and outdoor activities.
2. Outdoor activities shall be no closer than 150 feet from a residential use.

Q. **Hotels and Motels**

1. Shall require a Conditional Use Permit in the C-3 and B-P Districts when use includes conference and convention facilities.

R. **Household Appliance, Furniture, and Small Equipment Rentals**

1. No outside display or storage is allowed
2. Any use with seventy-five thousand (75,000) square feet or greater of gross floor area shall be considered Retail, Large.

S. **Medical Offices and Clinics**

1. In the C-O District, medical and dental laboratories shall not exceed five thousand (5,000) square feet.

T. **Marijuana Facilities**

1. Purpose. The purpose of this section is to implement Arizona Revised Statutes, Title 36, Chapter 28.1; entitled "Arizona Medical Marijuana Act" and Chapter 28.2; entitled "Responsible Adult Use of Marijuana".

2. Marijuana Establishment. Marijuana Establishment shall be permitted only in the General Office (G-O), General Commercial (C-2), and Heavy Commercial (C-3) zoning districts, subject to the following conditions and limitations:

   a. Applicant shall provide:

      i. Name(s) and location(s) of the affiliated offsite marijuana establishment associated with the cultivation operation.

      ii. A copy of the operating procedures adopted in compliance with A.R.S. § 36-2854.

      iii. A survey sealed by a registrant of the State of Arizona showing the location of the nearest marijuana dispensary or cultivation location if within 10,560 feet.

      iv. Site plan, floor plan, building permits for occupancy change, and a security plan.

      v. If the application is by an agent for the owner of the property, the owner's authorization must include an explicit acknowledgement from the owner that the owner knows that the proposed use of the property is as a marijuana offsite cultivation location.

   b. Shall be located in a permanent building and may not be located in a trailer, cargo container or motor vehicle.

   c. Shall not permit on-premise consumption.

   d. Shall not be located within 5,280 feet of any other Marijuana Dispensary, Marijuana Dispensary Offsite Cultivation Location, Marijuana Establishment, Marijuana Manufacturing Facility, or Marijuana Designated Caregiver Cultivation Location. This distance shall be measured from the exterior walls of the building or portion thereof in which the businesses are conducted or proposed to be conducted.

   e. Shall not be located within 1,320 feet of a residentially zoned property. This distance shall be measured in a straight line from the exterior walls of the building or portion thereof in which the business is conducted or proposed to be conducted to the zoning boundary line of the residentially zoned property.

   f. Shall not be located within 1,320 feet of an elementary, secondary or high school. This distance shall be measured in a straight line from the exterior walls of the building or portion thereof in which the business is conducted or proposed to be conducted to the property line of the protected use.

   g. Shall not share a common wall with a Child Care Center.

   h. Shall provide for proper disposal of marijuana remnants or by-products, and not to be placed within the facility's exterior refuse containers.

i. There shall be no emission of dust, fumes, vapors, or odors into the environment from the facility.

j. There shall be no retail sales at the facility.

k. The offsite cultivation location must comply with the security requirements of A.R.S. Title 36, Chapter 28.1 and 28.2.

l. Shall be a maximum 25,000 gross square feet.

3. Marijuana Testing Facility. To the fullest extent allowable by law, the operation of a marijuana testing facility is prohibited in Glendale.

4. Marijuana Dispensary Offsite Cultivation Location. A Marijuana Dispensary Offsite Cultivation Location shall be permitted only in the Light Industrial (M-1) and Heavy Industrial (M-2) zoning districts, subject to the following conditions and limitations:

a. Applicant shall provide:

vi. Name(s) and location(s) of the affiliated offsite marijuana dispensary associated with the cultivation operation.

vii. A copy of the operating procedures adopted in compliance with A.R.S. § 36-2804(B)(1)(c).

viii. A survey sealed by a registrant of the State of Arizona showing the location of the nearest marijuana dispensary or cultivation location if within 10,560 feet.

ix. Site plan, floor plan, building permits for occupancy change, and a security plan.

x. If the application is by an agent for the owner of the property, the owner's authorization must include an explicit acknowledgement from the owner that the owner knows that the proposed use of the property is as a marijuana offsite cultivation location.

b. Shall be located in a permanent building and may not be located in a trailer, cargo container or motor vehicle.

c. Shall not permit on-premise consumption.

d. Shall not be located within 5,280 feet of any other Marijuana Dispensary, Marijuana Dispensary Offsite Cultivation Location, Marijuana Establishment, Marijuana Manufacturing Facility, or Marijuana Designated Caregiver Cultivation Location. This distance shall be measured from the exterior walls of the building or portion thereof in which the businesses are conducted or proposed to be conducted.

e. Shall not be located within 1,320 feet of a residentially zoned property. This distance shall be measured in a straight line from the exterior walls of the building or portion thereof in which the business is conducted or proposed to be conducted to the zoning boundary line of the residentially zoned property.

f. Shall not be located within 1,320 feet of an elementary, secondary or high school. This distance shall be measured in a straight line from the exterior walls of the building or portion thereof in which the business is conducted or proposed to be conducted to the property line of the protected use.

g. Shall not share a common wall with a Child Care Center.

h. Shall provide for proper disposal of marijuana remnants or by-products, and not to be placed within the facility's exterior refuse containers.

i. There shall be no emission of dust, fumes, vapors, or odors into the environment from the facility.

j. There shall be no retail sales at the facility.

k. The offsite cultivation location must comply with the security requirements of A.R.S. Title 36, Chapter 28.1.

l. Shall be a maximum 25,000 gross square feet.

(Ord. No. 2763, § 1, 2-22-11)

5. Marijuana Dispensary. Marijuana Dispensary shall be permitted only in the General Office (G-O), General Commercial (C-2), and Heavy Commercial (C-3) zoning districts, subject to the following conditions and limitations:

   a. Applicant shall provide:

      i. Name and location of the offsite cultivation location, if applicable.

      ii. A copy of the operating procedures adopted in compliance with A.R.S. § 36-2804(B)(1)(c).

      iii. A survey sealed by a registrant of the State of Arizona showing the location of the nearest marijuana dispensary or cultivation location if within 10,560 feet.

      iv. Site plan, floor plan, building permits for occupancy change, and a security plan.

      v. If the application is by an agent for the owner of the property the owner's authorization must include an explicit acknowledgement from the owner that the owner knows that the proposed use of the property is as a marijuana dispensary.

   b. Shall be located in a permanent building and may not be located in a trailer, cargo container or motor vehicle.

   c. Shall not provide outdoor seating.

   d. Shall not permit on-premise consumption.

   e. Shall be a maximum 6,000 gross square feet.

   f. Shall not be located within 5,280 feet of any other Marijuana Dispensary, Marijuana Dispensary Offsite Cultivation Location, Marijuana Manufacturing Facility, or Marijuana Designated Caregiver Cultivation Location. This distance shall be measured from the exterior walls of the building or portion thereof in which the businesses are conducted or proposed to be conducted.

   g. Shall not be located within 500 feet of a residentially zoned property. This distance shall be measured in a straight line from the exterior walls of the building or portion thereof in which the business is conducted or proposed to be conducted to the zoning boundary line of the residentially zoned property.

   h. Shall not be located within 1,320 feet of an elementary, secondary or high school. This distance shall be measured in a straight line from the exterior walls of the building or portion thereof in which the business is conducted or proposed to be conducted to the property line of the protected use.

   i. Shall not share a common wall with a Child Care Center.

   j. Shall have operating hours not earlier than 8:00 a.m. and not later than 10:00 p.m.

   k. Off-site delivery is permissible only if the dispensary maintains and accurately practices procedures and policies that fully comply with A.R.S. Title 36, Chapter 28.1 and Arizona Administrative Code Title 9, Chapter 17, or their successor statutes and rules, if any.

   l. Drive-through services are prohibited.

m. Shall provide for proper disposal of marijuana remnants or by-products, and not to be placed within the dispensary's exterior refuse containers.

n. There shall be no emission of dust, fumes, vapors, or odors into the environment from the dispensary.

o. The dispensary must comply with the security requirements of A.R.S. Title 36, Chapter 28.1.

p. A prominent and permitted sign stating "NO LOITERING IS ALLOWED ON OR IN FRONT OF THESE PREMISES" shall be located in a place that is clearly visible to patrons of the dispensary. As depicted by the signage, no loitering is allowed on or in front of the premises of the Marijuana Dispensary.

q. Additionally, a security plan shall be submitted by the applicant in conjunction with design review approval. The security plan shall include provisions for the following:

i. An alarm system with a redundant power supply and circuitry to prevent deactivation.

ii. A video surveillance system that at all times records all interior areas and the exterior perimeter.

iii. A lighting system that at all times illuminates the interior areas and the exterior perimeter.

iv. A plan for the reprogramming of all security codes and keys in the event an employee resigns or is terminated.

(Ord. No. 2763, § 1, 2-22-11; Ord. No. O18-16, § 1, 3-27-18; Ord. No. O19-47, § 1, 5-28-19)

6. Marijuana Manufacturing Facility. Marijuana Manufacturing Facility shall be permitted only in the Light Industrial (M-1) and Heavy Industrial (M-2) zoning districts, subject to the following conditions and limitations:

a. Applicant shall provide:

i. Name(s) and location(s) of the affiliated offsite Marijuana Dispensary associated with the infusion (or manufacturing) facility.

ii. A copy of the operating procedures adopted in compliance with A.R.S. §36-2804(B) (1) (c).

iii. A survey sealed by a registrant of the State of Arizona showing the location of the nearest Marijuana Dispensary, Marijuana Dispensary (No Cultivation), Marijuana Dispensary Offsite Cultivation Location, or Marijuana Manufacturing Facility if within 10,560 feet.

iv. Site plan, floor plan, building permits for occupancy change, and a security plan.

v. If the application is by an agent for the owner of the property, the owner's authorization must include an explicit acknowledgement from the owner that the owner knows that the proposed use of the property is for a marijuana manufacturing facility.

b. The Facility shall be located in a permanent building and may not be located in a trailer, cargo container or motor vehicle.

c. The Facility shall not be located within 5,280 feet of any other Marijuana Cultivation, Marijuana Dispensary, Marijuana Dispensary Offsite Cultivation Location, Marijuana Infusion (or Manufacturing) Facility, or Marijuana Designated Caregiver Cultivation Location. This distance shall be measured from the exterior walls of the building or portion thereof in which the businesses are conducted or proposed to be conducted.

d. The facility shall not be located within 1,320 feet of a residentially zoned property. This distance shall be measured in a straight line from the exterior walls of the building or portion thereof in which the businesses are conducted or proposed to be conducted to the zoning boundary line of the residentially zoned property.

e. The Facility shall not be located within 1,320 feet of an elementary, secondary or high school. This distance shall be measured in a straight line from the exterior walls of the building or portion thereof in which the business is conducted or proposed to be conducted to the property line of the protected use.

f. Shall not share a common wall with a Child Care Center.

g. The Facility shall provide for proper disposal of marijuana remnants or by-products, and not to be placed within the facility's exterior refuse containers.

h. There shall be no emission of dust, fumes, vapors, or odors into the environment from the facility.

i. There shall be no retail sales at the facility.

j. Shall not permit on-premise consumption.

k. The Facility must comply with the security requirements of A.R.S. Title 36, Chapter 28.1.

l. Shall be a maximum 10,000 gross square feet.

(Ord. No. 2763, § 1, 2-22-11)

7. Marijuana Designated Caregiver Cultivation Location. Marijuana Designated Caregiver Cultivation location shall be permitted only in the Light Industrial (M-1) and Heavy Industrial (M-2) zoning districts, subject to all rules adopted by the Arizona Department of Health Services and the following conditions and limitations:

   a. Shall be located in a permanent building and may not be located in a trailer, cargo container or motor vehicle.

   b. Shall not permit on-premise consumption.

   c. The location shall provide for proper disposal of marijuana remnants or by-products, and not placed within the location's exterior refuse containers.

   d. There shall be no emission of dust, fumes, vapors, or odors into the environment from the location.

   e. There shall be no retail sales at the location.

   f. More than one designated caregiver may co-locate cultivation locations as long as the total cultivation area does not exceed 250 square feet.

g. The designated caregiver location must comply with the security requirements of A.R.S. Title 36, Chapter 28.1.

h. If the application is by an agent for the owner of the property, the owner's authorization must include an explicit acknowledgement from the owner that the owner knows that the proposed use of the property is for a marijuana designated caregiver cultivation location.

(Ord. No. 2763, § 1, 2-22-11)

U. **Microbrewery, Craft Distillery or Tasting Room**

1. Use shall be determined by Arizona State Liquor License type.
2. Building shall be located no closer than 1,000 feet from a state-designated local alcohol reception center.
3. Outdoor dining and patio spaces shall be no closer than 200 feet from a property zoned for residential use, including rights-of-way.

V. **Shopping Center, Neighborhood**

1. Performance Standards

a. No single retail use shall be larger than seventy-five thousand (75,000) square feet of gross floor area.

b. Design review for the entire site must be approved prior to issuance of building permits for any portion of the site.

c. A project may be built in phases, but the first phase must include the major anchor for the center as determined by the Master Development Plan. Pad sites shall not be developed prior to the development of the major anchor.

d. The shopping center must include a plaza or plazas containing at least one thousand (1,000) square feet per net acre of the site. The plaza shall include shade trees, seating areas, tables, and trash receptacles. At least fifty percent (50%) of the area of plaza(s) required shall be constructed in the first phase of development.

e. Outdoor sales and displays are prohibited, except when the following conditions are present:

i. Products and services displayed outdoors are customary, accessory, and incidental to those sold and displayed in a primary business being conducted in the permanent building on the property.

ii. Outdoor sales and displays do not interfere with pedestrian access ways, fire lanes, required parking spaces, driveways, landscape area, or traffic visibility at driveway entries and street intersections.

f. All retail and service activities shall be within an enclosed building. No outside storage of equipment or materials is permitted.

g. Prior to certificate of occupancy of any building on the site, the developer shall provide certification that the noise level from mechanical equipment does not exceed fifty-five (55) dBA (normal speaking voice) at the property line.

h. The frontages and corner setback area shall include a minimum of twenty-five (25) feet of landscaping, broken only by necessary driveways and screen walls. No parking shall be permitted within this area.

i. All perimeter on-site improvements including landscape buffers, sidewalks, perimeter walls and parking lot screen walls must be constructed in the first phase of development.

2. Master Development Plan.

a. All applications for Shopping Center, Neighborhood developments shall include a Master Development Plan for the area of the rezoning request. The plan, at a minimum, will address:

i. The location of all proposed buildings, plazas, and pedestrian walkways.

ii. The locations of all drive aisles, parking, loading and service areas.

iii. The location of all landscaping, retention areas, entry features and perimeter walls.

iv. The location of all required public street improvements.

v. A design theme for the center showing the architecture, materials and colors that will be used.

vi. The location of all proposed freestanding identification signs.

vii. On-site lighting performance measures.

viii. The location, type and size of individual uses planned for the center.

b. The Master Development Plan shall be reviewed through the design review process. Consideration shall be given to the conformance of the proposed plan with the General Plan, the commercial design expectations, and the stated purpose of the Neighborhood Shopping Center district.

c. The procedure for amending an approved Master Development Plan shall be the same as prescribed for the original approval.

W. Nightclub and Live Entertainment

1. Such facilities can be approved through administrative review, if the entrances and exits to the building are located more than three hundred (300) feet from any residential use. The dance floor may not exceed one-eighth (1/8) of the total floor area. No adult entertainment uses permitted. The closing time of the dance floor shall be simultaneous with the closing of the bar or cocktail lounge.

2. In the C-2 District, the area devoted to patron dancing shall not exceed seven and one-half (7-1/2) percent of the total gross floor area.

3. Facilities where exits and entrances to the structure are less than three hundred (300) feet from any existing or planned residential use shall require a Conditional Use Permit.

X. Pawn Shops

1. The use shall be a minimum of three hundred (300) feet from any agricultural or residentially- zoned property located in the City of Glendale or in an adjoining city or county, measured from property lines.

2. The use shall be a minimum of one thousand three hundred twenty (1,320) feet from any other pawn shop located in the City of Glendale or in an adjoining city or county, measured from the property lines.

Y. **Personal Services**

1. Maximum of one thousand (1,000) square feet of floor area to be occupied by or devoted to machinery to be used for laundry, cleaning, dyeing, and finishing work;
2. Retail service to individual customers only and no wholesaling of any commodity or service shall be permitted;
3. Shall require a Conditional Use Permit in the PR District.
4. All drive-through services shall adhere to Section 35.3.103.N and 35.4.013 and require a Conditional Use Permit.

Z. **Recreation, Indoor**

1. Indoor Recreational facilities larger than four thousand (4,000) square feet of gross floor area shall require a Conditional Use Permit

AA. **Retail, General**

1. No outside storage is allowed
2. In the G-O District, retail stores integrated into office building shall not exceed five thousand (5,000) square feet.
3. In the C-1 and PR District, retail grocery or hardware stores shall not exceed seven thousand five hundred (7,500) square feet.
4. In the PR District, retail printing businesses shall obtain a Conditional Use Permit.

BB. **Retail, Large**

1. Facades and Exterior Walls.

    a. Facades greater than 100 feet in length, measured horizontally, shall incorporate wall plane projections or recesses having a depth of at least three percent of the length of the facade and extending at least 20 percent of the length of the facade. No uninterrupted length of any facade shall exceed 100 horizontal feet.

    b. Ground floor facades that face public streets shall have arcades, display windows, entry areas, awnings, or other such features along no less than 60 percent of their horizontal length.

    c. Building facades must include:

        i. A repeating pattern that includes no less than three of the following typical elements:

            (a) Color change;

            (b) Texture change;

            (c) Material module change;

            (d) An expression of architectural or structural bays through a change in plane no less than 12 inches in width, such as an offset, reveal or projecting rib;

(e) A specific architectural element proposed by the applicant's architect that is acceptable to the designated approving authority.

2. Roofs.

   a. Roofs shall have no less than two (2) of the following features:

      i. Parapets concealing flat roofs and rooftop equipment, such as HVAC units, from public view. The average height of such parapets shall not exceed fifteen (15%) percent of the height of the supporting wall and such parapets shall not at any point exceed one-third (1/3) of the height of the supporting wall. Such parapets shall feature three (3) dimensional cornice treatment;

      ii. Overhanging eaves, extending no less than three (3' 0") feet past the supporting walls;

      iii. Sloping roofs that do not exceed the average height of the supporting walls, with an average slope greater than or equal to one (1' 0") foot of vertical rise for every three (3' 0") feet of horizontal run and less than or equal to one (1' 0") foot of vertical rise for every one (1' 0") foot of horizontal run;

      iv. Three (3) or more roof slope planes;

      v. A specific architectural element proposed by the applicant's architect that is acceptable to the Design Review process.

3. Materials and Colors.

   a. Predominant exterior building materials shall be of high-quality material, including, but not limited to, brick, sandstone, other native stone, and tinted/textured concrete masonry units.

   b. Facade colors shall be low reflectance, subtle, neutral, or earth tone colors. The use of high intensity colors, metallic colors, black or fluorescent colors shall be prohibited.

   c. Building trim and accent areas may feature brighter colors, including primary colors, but neon tubing shall not be an acceptable feature for building trim or accent areas.

   d. Exterior building materials shall not include smooth-faced concrete block, tilt-up concrete panels, or prefabricated steel panels.

4. Entryways.

   a. Each large retail establishment on a site shall have clearly defined, highly visible customer entrances featuring no less than five of the following:

      i. Canopies or porticos;

      ii. Overhangs;

      iii. Recesses/projections;

      iv. Arcades;

      v. Raised corniced parapets over the door;

      vi. Peaked roof forms;

      vii. Arches;

viii. Outdoor patios;

ix. Display windows:

x. Architectural details such as tile work and moldings which are integrated into the building structure and design;

xi. Integral planters or wing walls that incorporate landscaped areas and/or places for sitting;

xii. A specific architectural element proposed by the applicant's architect that is acceptable as part of the design review process;

5. Vehicular, Pedestrian, and Bicycle Connectivity.

   a. The site design must provide direct connections and safe street crossings to adjacent land uses and existing and proposed public transportation facilities and bikeways.

6. Central Features and Community Space.

   a. Each retail establishment subject to these standards shall contribute to the establishment or enhancement of community and public spaces by providing at least two of the following: patio/seating area, pedestrian plaza with benches, window shopping walkway, outdoor playground area, kiosk areaor other such deliberately shaped area and/or a focal feature or amenity that, in the judgment of the design review process, adequately enhances such community and public spaces. Any such areas shall have direct access to the public sidewalk network and such features shall not be constructed of materials that are inferior to the principal materials of the building and landscape.

CC. **Tattoo and Piercing Studio**

1. Use shall not be located within one thousand (1,000) feet of another Tattoo or Piercing Studio, a Pawn Shop or Non-Chartered / Non-Traditional Financial Institution, Liquor Store, or Adult Business.

DD. **Thrift Stores**

1. A storage area must be provided for all discarded items. All storage areas for individual items, including collection receptacles, shall be entirely enclosed or screened and not visible from the public right-of-way or from adjacent residential areas.
2. All collection receptacles shall be secure from public access during non-business hours.
3. No material, goods, or merchandise may be stored outside of an approved collection receptacle unless it is within an approved screened area.

EE. **Veterinary Clinic**

1. Noise attenuation walls shall be installed between suites to prevent noise transmission above 45dB.
2. Odor control and air filtration measures shall be taken to contain all odors within the subject suite.
3. Outdoor uses shall be prohibited unless otherwise stated below.
4. If veterinarian clinic has a kennel or animal training associated with it, then it shall comply with Section 35.3.104.A Animal Kennel / Animal Shelter and/or Section 35.3.104.B Animal Training, Outdoor and the following standards:

a. In the C-2, C-3 and C-O zoning districts, outdoor boarding or training facilities are not permitted.

b. In the M-1 zoning district, outdoor boarding or training facilities shall require a conditional use permit.

FF. **Veterinary Hospital, Emergency**

1. Noise attenuation walls shall be installed between suites to prevent noise transmission above 45dB.
2. Odor control and air filtration measures shall be taken to contain all odors within the subject suite.
3. Outdoor uses shall be no less than one hundred (100) feet to any residential use.

35.3.104 Industrial

This Section contains specific use conditions and regulations for permitted uses within the Industrial use category as provided in Article 2 – Zoning Districts.

A. **Animal Kennel / Animal Shelter**

1. All animals must be kept indoors, and no outside runs are permitted unless otherwise stated below.
2. The kennel structure must not be any closer than one hundred (100) feet to any residential or agricultural zone.
3. The kennel structure shall be designed, constructed, and maintained so that sound emitted to exterior walls and roofs shall not exceed forty-five (45) decibels. Building plans submitted for a kennel/shelter shall include a certified statement from a registered architect or engineer that the building will meet the forty-five (45) decibel requirement.
4. If the kennel offers outdoor boarding or animal training, then it shall comply with Section 35.3.104.B Animal Training, Outdoor and the following standards:

   a. In the C-3 and M-1 zoning district, outdoor boarding or training shall require a Conditional Use Permit.

B. **Animal Training, Outdoor**

1. Outdoor uses shall be no less than one hundred (100) feet from any residential use and shall not be in use between 9:00 p.m. and 7:00 a.m, unless amended through the Conditional Use Permit process.
2. Special events such as shows, exhibitions, and contests shall only be permitted when a temporary use permit has been secured.

C. **Broadcast Studios**

1. The use and placement of transmitter dishes or towers shall require a Conditional Use Permit.

D. **Commercial Aviation Business**

1. Crew sleeping quarters and rest facilities may be conditionally permitted as an accessory use only to a commercial aviation business and can only be located in a terminal or hanger.
2. Crew sleeping quarters and rest facilities for pilots and/or crew personnel that support an aircraft's operation. The quarters may provide any of the following amenities: bunks or beds, bathrooms with shower facilities, a kitchenette and a small lounge area. The quarters shall not be used as long-term housing or rented out to the general public. Only personnel that are part of the aircraft operations can utilize the quarters.

E. **Manufacturing and Assembly, Major**

1. Outdoor activity shall be no closer than 300 feet from any residential use.
2. Outdoor activity and storage shall be screened from public rights-of-way by a solid wall or fence of no less than ten (10) feet in height.
3. Retail sale of merchandise shall be prohibited.
4. Vehicle, equipment, and material storage shall occur on improved dustproof surfaces.
5. Manufacturing of flammable, hazardous, or explosive materials such as pyrotechnics, rubber products, and chemicals or allied products shall be prohibited in the M-1 zoning district.
6. In the M-2 zoning districts, manufacturing of flammable, hazardous, or explosive materials such as pyrotechnics, rubber products, and chemicals or allied products shall require a conditional use permit.

F. **Manufacturing and Assembly, Minor**

1. Outdoor storage shall occur on paved surfaces and be screened from public rights-of-way by a solid wall or fence of no less than ten (10) feet in height.

G. **Product Processing**

1. Use shall be located on a property that is no closer than 500 feet from any residential use or 250 feet from any retail commercial use.
2. In the M-1 District, processing of meat, poultry, and seafood canning, curing, and by-product processing; rendering or refining of fats and oils; and dyeing and finishing of textile products shall be prohibited.
3. In the M-2 District, rendering or refining of fats and oils or dyeing and finishing of textile products shall require a Conditional Use Permit.

H. **Storage, Recreational Vehicles**

1. Excludes services such as mechanical maintenance, washing, and detailing.
2. Outdoor recreational vehicle storage facilities shall be screened from the view of adjacent streets by a solid wall or fence of no less than ten (10) feet in height and landscaping.

I. **Storage, Self-Service**

1. All storage shall be within an enclosed building, except that boats, trailers and motor vehicles may be placed in outdoor storage areas which are separate from the buildings and screened from the view of adjacent streets by a solid wall or fence of no less than ten (10) feet in height and landscaping.

2. Outside storage shall not exceed ten (10) percent of the gross site area and shall not count towards meeting parking requirements.
3. All storage warehouse facilities are to be used for storage purposes only.

35.3.105 Public and Semi-Public

This Section contains specific use conditions and regulations for permitted uses within the Public and Semi-Public use category as provided in Article 2 – Zoning Districts.

A. Place of Worship

1. All vehicular access to the facility shall be onto an arterial or collector road.
2. Wherever an off-street parking area is adjacent to a residential use, a continuous obscuring wall, fence and/or landscaped area at least six (6) feet in height shall be provided.

B. Private Schools, Colleges, and Universities; with or without Dormitories

1. Located at the intersection of two (2) collector streets or fronting or siding on an arterial street.

C. Social Club or Lodge

1. Entrances and exits to the building shall be located no less than three hundred (300) feet from any residential use. Any entrance or exit less than three hundred (300) feet from any residential use shall obtain a Conditional Use Permit.

D. Wireless Communication Facility (Including Tower and Supporting Facilities)

The intent of the following development standards is to improve the design and placement of new wireless communication facilities (WCF) in order to reduce the impact on the visual and aesthetic character of the community. The standards are designed to: Encourage the use of concealment technology; minimize the construction of new towers through the promotion of co-location on existing WCF, buildings or other structures; ensure continuous maintenance of WCF and enforce the timely removal of any unused or outdated facilities; and regulate the use of temporary WCF. A WCF may be concealed, disguised or visible. As described below, each type of WCF has specific development standards, approval processes, and design guidelines based upon whether they are new structures or being co-located.

1. Concealed Wireless Communication Facilities. Concealed WCF used by a governmental agency for public safety purposes may be permitted in all zoning districts and are not regulated by these provisions of the UDC. Other Concealed WCF are permitted in all zoning districts, subject to the following standards:

    a. Concealed WCF on non-residentially zoned properties adjacent to residentially zoned properties:

        i. Concealed WCF are permitted on non-residentially zoned property that is adjacent to residentially zoned properties, except if a concealed WCF does not uphold the criteria specified in Section 35.3.105.D.11 “a” through “f” below, as determine by the Community Development Director or their designee, said facility shall be subject to obtaining a conditional use permit).

b. Concealed WCF on residentially zoned properties:

ii. Public/semi-public spaces—Concealed WCF are permitted on residentially zoned property that is designated or used for public or semi-public spaces such as, but not limited to, schools, churches, golf courses, parks or government facilities. If a concealed WCF does not uphold the criteria specified in Section 35.3.105.CD.11 "a" through "f" below, as determine by the Community Development Director or their designee, said facility shall be subject to obtaining a conditional use permit.

iii. Open space residential tracts—Concealed WCF are permitted in tracts within residential subdivisions that are zoned or platted for open space or retention areas, subject to obtaining a conditional use permit.

c. Bulk requirements. The standards governing the building height, lot coverage, building and perimeter setbacks are regulated by the underlying zoning district. When there is more than one underlying zoning district, the more restrictive regulations shall apply.

d. Design guidelines. A site plan must be approved by the Planning Department demonstrating that the proposed WCF meets the definition of "concealed." Site plans for concealed WCF must demonstrate the following in order to be approved:

i. The antenna is fully enclosed, screened or obscured so that it is not visible at all or, if visible, it is not recognizable as a WCF to a casual observer; and

ii. The antenna does not extend more than twelve (12) inches from the building or structure to which it is attached; and

iii. The underlying zoning district must allow the structure being utilized to support the antenna and the support structure; and

iv. The concealed WCF and its support structure shall comply with the setback requirements of the underlying zoning district; and

v. The support equipment is located entirely within an equipment enclosure that is architecturally compatible with the surrounding area and completely screened from view; and

vi. A WCF concealed as a flagpole shall be required to fly a flag in compliance with the accepted protocol for the type of flag flown. The flag and pole shall be visible from the building entrances used by the public. The diameter of the pole structure must not exceed twenty-four (24) inches; and

vii. The installation of a concealed WCF should be done in a manner that minimizes the removal of mature vegetation or the disturbance of natural desert vegetation.

2. Disguised Wireless Communication Facilities. Disguised WCF used by a governmental agency for public safety purposes are permitted in all zoning districts and are not regulated by these provisions of the UDC. Other disguised WCF are permitted in all zoning districts, subject to the following standards:

a. Disguised WCF on City Owned Property adjacent to residentially zoned properties:

i. Disguised WCF on City Owned Property adjacent to residentially zoned properties shall be subject to obtaining a conditional use permit.

b. Bulk requirements. The standards governing lot coverage and perimeter setbacks are regulated by the underlying zoning district. When there is more than one

underlying zoning district, the more restrictive regulations shall apply. In addition, disguised WCF must comply with the following:

i. Maximum height—Sixty-five (65) feet in height from natural grade to the highest point of the pole or support structure for all disguised WCF except for monocactus, which shall be limited to forty-five (45) feet in height to the top of the structure. A co-located disguised WCF shall be limited to eighty feet (80) in height.

ii. Required setbacks—The following minimum setbacks are required for disguised WCF:

(a) From an adjoining property zoned for residential purposes:

(i) Disguised WCF—Except as described below, a minimum one hundred fifty (150) foot setback is required from an adjoining property zoned for residential purposes. For purposes of this standard, land uses that are permitted in residential zoning districts, including those that are designated for public spaces such as, but not limited to, schools, churches, golf courses, parks or government facilities are considered "residential purposes." The setback may be reduced to fifty (50) feet from a property that is zoned for residential purposes subject to obtaining a conditional use permit pursuant to Section 35.6.208 of the UDC. For City owned property, exclusive of right-of-ways or public utility easements, a minimum three hundred (300) foot setback is required from any adjoining property zoned for residential purposes. This setback shall be increased by twenty (20) feet for every five (5) foot increase in height above sixty-five (65) feet up to the maximum allowed height as stated in section 35.3.105.D.2.a.i above.

(ii) WCF co-locating on public utilities (not located on City owned property) — Except as described below, a minimum one hundred fifty (150) foot setback is required from another property zoned or used for residential purposes. The setback from a property that is zoned for residential purposes may be reduced to a lesser distance or eliminated subject to administrative review and pursuant to Arizona Revised Statutes, Title 11, Chapter 13-Wireless Structures and Facilities, or its successor statutes, if any.

(b) From an adjoining property that is zoned for commercial or industrial purposes: No setback required except for any required perimeter landscape setback standards.

(c) Streets: A minimum setback of twenty-five (25) feet from all public and private rights-of-way or accessways, unless being located on a previously existing public utility pole or if a greater setback is required by the underlying zoning.

(d) Support structures or signs: The setbacks for any structure that is supporting a disguised WCF must comply with the setback requirements of the underlying zoning district.

i. Restrictions on development in residential zoning districts—Disguised WCF are permitted on residentially zoned properties subject to compliance with the above noted bulk requirements and as follows:

(a) Public/semi-public spaces—Disguised WCF are permitted on residentially zoned property that are designated for public or semi-public spaces such as, but not limited to, schools, churches, golf courses, parks or government facilities, If a Disguised WCF does not uphold the criteria specified in Section 35.3.105.D.11 "a" through "f" below, as determine by the Community Development Director or their designee, said facility shall be subject to obtaining a conditional use permit).

(b) Open space residential tracts—Disguised WCF are permitted in tracts within residential subdivisions that are zoned or platted for open space or retention areas, subject to obtaining a conditional use permit pursuant to Section 35.6.208 of the UDC.

c. Design guidelines. A site plan must be approved by the Development Services Department demonstrating that the proposed WCF meets the definition of "disguised." The following minimum specifications shall apply to these types of disguised WCF:

i. Monopalms: A monopalm must meet the following design guidelines:

(a) All monopalms must be anatomically correct and contain a minimum of 55 palm fronds.

(b) The antenna array shall not extend more than thirty (30) inches from the structure to which it is attached.

(c) The entire length of the antenna must be disguised by the palm fronds.

(d) The pole structure must be built of steel or fiberglass and clad with faux bark. The faux bark shall start at the base of the pole and continue to the height of the first palm frond attachment. The balance of the pole structure and the attachments must be painted to blend with the palm fronds.

(e) The diameter of the pole structure must not exceed twenty-six (26) inches at its widest point.

(f) All cables must be concealed within the pole structure.

(g) Microwave dishes shall be limited to one (1) square foot in size and must be concealed within the trimmed leaf cluster (often referred to as the "pineapple") of the monopalm or within the palm fronds.

(h) The trimmed leaf cluster shall be mounted directly below the palm fronds and shall be painted to blend with the pole structure.

(i) No more than two (2) microwave dishes are permitted on each monopalm.

(j) No climbing pegs are permitted on the pole structure.

(k) The installation of a monopalm should be done in a manner that minimizes the removal of mature vegetation.

i. Monocactus: A monocactus must meet the following design guidelines:

(a) The structure must be built of steel or fiberglass and clad with faux finish that starts at the base of the pole and continues to the top of the structure.

(b) The diameter of the pole structure must not exceed thirty (30) inches at its widest point.

(c) All antenna and cables must be concealed within the pole structure.

(d) The number and size of any "arms" must be sized to be proportional to the height of the monocactus.

(e) No microwave dishes are permitted.

(f) No climbing pegs are permitted on the pole structure.

(g) The installation of a monocactus should be done in a manner that minimizes the removal of mature vegetation or the disturbance of natural desert vegetation. To ensure compliance, the following shall be done:

(h) If required by the Planning Department, a plant inventory of the monocactus and equipment enclosure or shelter site (if no enclosure is used) and a re-vegetation/salvage plan shall be submitted and approved at the time of site plan review; and

(i) Any trenching or site disturbance shall be re-vegetated to match the existing or natural vegetation, and

(j) No protected plant species shall be disturbed during construction unless re-vegetated as part of an approved salvage plan.

i. Monopine or Broadleaf tree: A monopine or broadleaf tree must meet the following design guidelines:

(a) The pole structure must be built of steel or fiberglass and clad with faux bark. The faux bark shall start at the base of the pole and continue to the height of the first branch attachment. The balance of the pole structure and the attachments must be painted to blend with the branches.

(b) The diameter of the pole structure must not exceed thirty-six (36) inches at the base and shall taper to no greater than twenty-eight (28) inches at the top of the pole structure.

(c) All cables must be concealed within the pole structure.

(d) The branches must:

(i) Be constructed to a density of 2.5 branches for each one vertical foot of pole, and

(ii) Start attachment at no greater than fifteen (15) feet above finished grade and continue to the top of the pole, and

(iii) Be a minimum of eight (8) feet long around the circumference of the lower level and shall taper appropriately as the branches progress upwards.

(a) The entire length of all antenna and their attaching apparatus shall be disguised by the branches and the antenna array shall not

extend more than thirty (30) inches from the structure to which it is attached.

(b) Microwave dishes shall be limited to one (1) square foot in size and must be painted the same shade of green as the branches. The attaching apparatus must also be painted the same shade of green as the branches.

(c) No more than four (4) microwave dishes are permitted on each Monopine or Broadleaf tree.

(d) No climbing pegs are permitted on the pole structure.

(e) The installation of a monopine or broadleaf tree should be done in a manner that minimizes the removal of mature vegetation.

i. Ball field light poles: WCF may be added to legally existing or proposed ball field light poles in compliance with the following design guidelines:

(a) The maximum allowable width of an antenna array is four (4) feet.

(b) The antenna array shall not extend more than thirty (30) inches from the structure to which it is attached.

(c) The maximum allowable length of each antenna is ten (10) feet.

(d) The diameter of the pole structure must not exceed thirty-six (36) inches.

(e) The addition of a WCF to a ball field light must not increase the height of the light structure by more than ten (10) feet.

(f) All cables must be concealed within the pole structure.

(g) Microwave dishes shall be limited to two (2) square feet in size.

(h) No more than two (2) microwave dishes are permitted on each ball field light pole.

(i) All microwave dishes, antennas, and attaching apparatus must be painted to match the ball field light pole.

(j) The installation of ball field light poles should be done in a manner that minimizes the removal of mature vegetation.

i. Water towers/tanks: WCF incorporated into water towers or water tanks must meet the following design guidelines:

(a) The maximum allowable width of an antenna array is four (4) feet.

(b) The antenna shall not extend more than eighteen (18) inches from the structure to which it is attached.

(c) The maximum allowable length of each antenna array is ten (10) feet.

(d) The addition of a WCF must not increase the height of the water tower/tank structure.

(e) All cables must be concealed within the support structure or fully enclosed within a cable shroud.

(f) Microwave dishes shall be limited to two (2) square feet in size.

(g) No more than two (2) microwave dishes are permitted on each water tower or water tank.

(h) All microwave dishes, antennas, cable shrouds and attaching apparatus must be painted to match the water tower or water tank.

(i) The installation of a water tower or water tank should be done in a manner that minimizes the removal of mature vegetation.

i. Existing public utility poles: It is encouraged that WCF be added to existing public utility poles, subject to the following design guidelines:

(a) Twelve kilovolt (12 kv) utility poles:

(i) The antenna shall not extend more than twelve (12) inches from the structure to which it is attached.

(ii) The maximum allowable length of all antenna added to a twelve kilovolt (12 kv) utility pole is ten (10) feet.

(iii) The addition of a WCF to an existing public utility pole must not increase the height of the public utility pole by more than ten (10) feet.

(iv) All cables must be concealed within the public utility pole or a cable shroud.

(v) Microwave dishes shall be limited to two (2) square feet in size.

(vi) No more than two (2) microwave dishes are permitted on each public utility pole.

(vii) All microwave dishes, antennas, cable shrouds and attaching apparatus must be painted to match the public utility pole.

(a) Sixty-nine kilovolts (69 kv) or larger utility poles or lattice-type tower structures:

(i) The maximum allowable width of an antenna array is four (4) feet.

(ii) The antenna array shall not extend more than thirty (30) inches from the structure to which it is attached.

(iii) The maximum allowable length of each antenna is ten (10) feet.

(iv) The addition of a WCF to an existing public utility pole must not increase the height of the public utility pole by more than ten (10) feet.

(v) All cables must be concealed within the public utility pole or a cable shroud.

(vi) Microwave dishes shall be limited to two (2) square feet in size.

(vii) No more than two (2) microwave dishes are permitted on each public utility pole.

(viii) All microwave dishes, antennas, cable shrouds and attaching apparatus must be painted to match the public utility pole.

3. Visible Wireless Communication Facilities. Visible WCF used by a governmental agency for public safety purposes are permitted in all zoning districts and are not regulated by these provisions of the UDC. All other visible WCF are permitted in the Commercial and Industrial Zoning Districts, except for the C-1 and C-2 Zoning Districts, and must comply with the following standards:

    a. Bulk requirements. The standards governing lot coverage and perimeter setbacks are regulated by the underlying zoning district. When there is more than one underlying zoning district, the more restrictive regulations shall apply. In addition, visible WCF must comply with the following:

        i. Maximum height—Eighty-five (85) feet from natural grade to the highest point of pole or fifteen (15) feet higher than the height of the top of the building to which it is mounted.

        ii. Required setbacks—The following setbacks are required:

            (a) From another property zoned for residential purposes: A minimum of three hundred (300) feet setback is required. For purposes of this standard, land uses that are permitted in those residential zoning districts, including those that are designated for public spaces such as, but not limited to, schools, churches, golf courses, parks or government facilities shall be considered "residential purposes." For City owned property, exclusive of right-of-ways or public utility easements, a minimum three hundred (300) foot setback is required from any adjoining property zoned for residential purposes. This setback shall be increased by twenty (20) feet for every five (5) foot increase in height above sixty-five (65) feet up to the maximum allowed height as stated in section 35.3.105.D.3.a.i above.

            (b) From an adjoining property that is zoned for commercial or industrial purposes: No setback required except for any required perimeter landscape setback standards.

            (c) Streets: A minimum setback of seventy-five (75) feet from all public and private rights-of-way or accessways, unless a greater setback is required by the underlying zoning.

    b. Design guidelines. A site plan must be approved by the Planning Department demonstrating that the proposed visible WCF meets the following minimum specifications:

        i. The maximum allowable width of an antenna array is four (4) feet.

        ii. The antenna array shall not extend more than thirty (30) inches from the structure to which it is attached.

        iii. The maximum allowable length of each antenna array is ten (10) feet.

        iv. The diameter of the pole structure must not exceed forty (40) inches.

        v. All antenna cables must be concealed within the pole structure or a cable shroud.

        vi. Microwave dishes shall be limited to two (2) square feet in size and must be painted the same color as the Visible WCF.

        vii. No more than two (2) microwave dishes are permitted on each visible WCF pole.

viii. All microwave dishes, antennas, cable shrouds and attaching apparatus must be painted to match the visible WCF.

ix. Antennae mounted on the side of a building shall be permitted subject to the following provisions:

(a) The antenna must not extend above the existing profile of the building or project more than twelve (12) inches from the building face.

(b) The antenna shall be integrated into the building design in a manner that respects the architectural style and coloring of the structure, considers the context and placement of the antenna on the structure, and minimizes its visual impact.

(c) Requests to exceed the established building profile shall be subject to securing a conditional use permit pursuant to Section 35.6.208 when demonstrated that the architectural element to which the antennae are attached is integrated with and in proportion to the building design.

i. The installation of a visible WCF should be done in a manner that minimizes the removal of mature vegetation or the disturbance of natural desert vegetation. To ensure compliance, the following shall be done:

(a) If required by the Planning Department, a plant inventory of the WCF and equipment enclosure or shelter site (if no enclosure used) and a re-vegetation/salvage plan shall be submitted and approved at the time of site plan review; and

(b) Any trenching or site disturbance shall be re-vegetated to match the existing or natural vegetation, and

(c) No protected plant species shall be disturbed during construction unless re-vegetated as part of an approved salvage plan.

4. Equipment enclosures, support equipment and structures. WCF include different types and sizes of support equipment and accessory structures needed to accommodate each antenna. No site plan for a WCF shall be approved unless the following standards can be met:

a. Not permitted—An equipment enclosure and all support equipment must not be located within the required perimeter landscape setback(s) of a development.

b. Equipment enclosure—The following standards apply to equipment enclosures:

i. Maximum area shall not exceed six hundred (600) square feet.

ii. Shall be screened primarily by an eight (8) foot decorative solid block or masonry perimeter wall. Less than five percent (5%) of each wall facade may be constructed of alternative materials, including see through materials, as approved by the Planning Department when deemed to be appropriate for security purposes.

iii. All entry gates visible from public streets or accessways shall be constructed of sight-obscuring material approved by the Planning Department.

c. Equipment shelter—The following standards apply to equipment shelters:

i. Maximum area shall not exceed three hundred and sixty (360) square feet.

ii. Maximum height permitted is twelve (12) feet, to be measured from finished grade or roof-top elevation of a supporting structure. Below grade shelters are permitted.

iii. No perimeter screening is required for equipment shelters not serving antennae attached to public utility poles if all equipment and wiring is fully enclosed within the shelter.

iv. Equipment shelters serving antennae attached to public utility poles must be enclosed within the perimeter walls of a utility substation.

v. An equipment shelter shall not be located closer to an abutting street than the principal building on the lot or parcel.

d. Ground-mounted cabinets—Ground-mounted cabinets shall comply with the following:

i. Maximum area shall not exceed three hundred (300) square feet for a single wireless communication provider or six hundred (600) square feet for multiple wireless communication providers.

ii. Maximum height permitted is eight (8) feet, to be measured from finished grade elevation.

iii. Ground-mounted cabinets that are visible from a public street or accessway must be located within an equipment enclosure, equipment shelter or enclosed building.

iv. Ground-mounted cabinets are not permitted to be constructed within the front yard setback of a residential zoning district.

e. Other screening allowances—If the support equipment is screened from view from a public street or accessway, alley, or adjacent property by a permanent perimeter or interior wall, fence or structure that is permanent, no separate wall is needed around the equipment enclosure.

f. Illumination—Equipment enclosures or shelters shall not be externally illuminated unless required by Federal regulations.

g. Noise level—The average noise level of the support equipment, measured at any property line that is zoned or used for residential purposes, must not exceed fifty-five dB (Ldn) when measured on an "a weighted" sound level meter and according to the procedures of the Environmental Protection Agency.

5. Co-location. The co-location of WCF on a site or structure is encouraged. Before building permits can be issued for co-location, the following must be submitted to or approved by the Planning Department:

a. Written authorization from the owner of the structure for the telecommunication service provider to attach additional antennas, and

b. The site plan approved for the original WCF must be amended to reflect any additional antennae, change in support structure or expanded area for support equipment before the issuance of permits.

When a change to the original WCF or a co-location on an existing WCF results in the structure no longer being able to comply with either the concealed or disguised designation, the entire WCF must meet the development standards for the more intensive use.

The Development Services Director or designee shall make a determination as to whether a facility under review, including proposed co-locations, would result in a change in its designation in the event of a dispute. An appeal of the determination made by the Development Services Director or designee can be filed for consideration by the Board of Adjustment pursuant to the provisions contained in Section 35.6.209 of the UDC.

6. Standards for the use of "cell on wheels" (COWs) apparatus. There are instances in which portable self-contained cell sites, called COWs, are needed on a temporary or emergency basis. The following minimum standards shall apply to the use of COWs:

   a. A temporary use permit shall be approved by the Development Services Director or designee for the use of COWs in any zoning district.

   b. COWs shall be located no closer than fifty (50) feet from the property line of a property that is zoned or used for residential purposes.

   c. COWs are permitted on tandem axel utility trailers with a maximum width of ten (10) feet and length of twenty-four (24) feet.

   d. Permitted power sources.

      i. A whisper quiet generator or other utility source shall be used that emits an average noise level, measured at any property line that is zoned or used for residential purposes, that does not exceed fifty-five dB (Ldn) when measured on an "a weighted" sound level meter, according to the procedures of the Environmental Protection Agency, unless otherwise approved by the Development Services Director or designee.

      ii. Use of on-site utility services must be approved by the Planning Department.

   e. No space or spaces needed to meet the required parking standards for a development site shall be taken by the placement of COWs.

   f. Special events—A temporary use permit issued for the use of COWs for a special event shall comply with the standards contained in Section 35.3.105.D.6 (a) through (e) above and the following:

      i. The approval shall not exceed a length of fifteen (15) consecutive days (excluding installation and removal).

      ii. There shall be no more than four temporary use permits for COWs per carrier issued per event per calendar year.

      iii. No primary use needs to be existing on a site in order for a temporary use permit to be issued for COWs serving a special event.

   g. WCF installation/repairs—A temporary use permit issued for the use of COWs during the installation of a new WCF or while repairs are being done on an existing WCF shall comply with the standards contained in Section 35.3.105.D.6 (a) through (e) above and with the following:

      i. The approval shall not exceed a length of sixty (60) consecutive days (excluding installation and removal).

      ii. There shall be no more than one temporary use permit issued for the use of COWS for other than special events per site each calendar year.

      iii. A one-time extension of the original temporary use permit of up to sixty (60) consecutive days (excluding installation and removal) may be approved by the

Development Services Director or designee upon a showing that the proposed installation or repairs are actively progressing.

7. Fiber Installation. See City of Glendale Engineering Design Standards for fiber design and construction requirements.

8. Plan review. A plan must be approved or amended by the Planning Department to reflect any additional antennae, microwave dishes, or attaching apparatus or a change in support structure or expanded area for support equipment. A site plan amendment is not needed to make changes to equipment that is fully enclosed within an equipment shelter that was included on a previous site plan approval. No site plan for a new or amended WCF shall be approved unless the support equipment is located entirely within an equipment enclosure or equipment shelter that is architecturally compatible with the surrounding area.

9. Standards for replacement of existing wireless communication facilities. Replacement of all or parts of a legally existing WCF (concealed, disguised, or visible) shall be permitted as a matter of right when the new WCF is in compliance with the previous zoning or conditional use permit approval or the above listed standards. For purposes of this provision "existing" shall mean that the pole or structure was taken down not more than ninety (90) days prior to the issuance of permits for the replacement monopole or new antennae. To minimize ground disturbance, antennae structures would be considered replacements if they are located within a ten (10) foot radius of the original antennae structure. A new antennae structure being built beyond the ten (10) foot radius from an existing WCF would be permitted only upon obtaining all of the necessary approvals described in Section 35.6.208 of the UDC.

10. Discontinuation of use. The use of any part of a WCF, including, but not limited to, a communication monopole, antennae, or support equipment, that has been discontinued for a period of ninety (90) calendar days shall be removed from the site unless a conditional use permit is secured pursuant to Section 35.6.208 of the UDC.

11. Conditional use permit approval standards. Requests for conditional use permits, when needed, shall be reviewed in accordance with the provisions of Section 35.6.208 of the UDC. Consideration shall also be given to each of the following:

    a. The consistency of the request with the context of the surrounding area;

    b. The design of a disguised WCF must be compatible with the architectural character and natural features of the site or development;

    c. The placement of the WCF on the lot or parcel and its potential effect on expanding existing or developing future land uses;

    d. The measures taken to reduce the visual impact, bulk or clutter on the surrounding area;

    e. The cumulative effect that existing WCF in the vicinity of the site may have on the request;

    f. Consistency with the design standards contained in Section 7.506; and

    g. The following information shall be submitted upon application for a conditional use permit for a WCF:

        i. A site plan identifying the proposed location and height of the WCF;

        ii. Elevations of the proposed WCF including details on the monopole or structure and attached antennae and equipment, accessory buildings, ground-mounted cabinets and equipment, and screening structures or materials;

iii. A statement on the capacity of the proposed WCF to allow collocation with other wireless communication providers; and

iv. The location and height of all WCF located within a one-half (1/2) mile radius of the site.

h. Required parking. None. If an existing parking space for another use is used by one or more wireless communication providers for maintaining an on-site WCF, it is considered a dual use parking space.

i. Site access. Vehicular or pedestrian access that is used exclusively for the periodic maintenance of a WCF does not need to be improved with asphalt or concrete paving or improved to meet the dust-proof alternative standards contained in the UDC.

35.3.200 ESTABLISHING ACCESSORY USES, BUILDINGS, AND STRUCTURES

35.3.201 Purpose

The purpose of this section is to identify and regulate accessory buildings, structures and uses in all zoning districts that are incidental and customarily subordinate to principal uses.

35.3.202 Accessory Uses

A. Unless specifically expressed herein, accessory uses shall adhere to the following:

1. All principal uses allowed in a zoning district shall be deemed to include those accessory uses and activities typically associated with the use as described in the principal uses definition provided in Article 8 - *Definitions*, unless otherwise specified, or specifically prohibited, within this Section.

2. No accessory use shall occur or be permitted on any lot or parcel until the principal building or use has been established or erected; unless both principal and accessory buildings and uses are conditional uses being established simultaneously.

3. Unless otherwise expressly stated, accessory uses are subject to the same lot, building, and development regulations as apply to principal uses and buildings.

4. Accessory uses must be operated and maintained under the same ownership and located on the same lot as the principal use to which they are accessory, unless otherwise expressly stated.

5. Accessory uses shall not produce noise, dust, light, odor, or vibration in excess of that produced by the principal use.

6. If the principal building or use is destroyed, removed or ceases to exist, the utilization of the accessory use shall no longer be allowed.

35.3.203 Accessory Building and Structures

A. Unless specifically expressed herein, accessory buildings and structures shall adhere to the following:

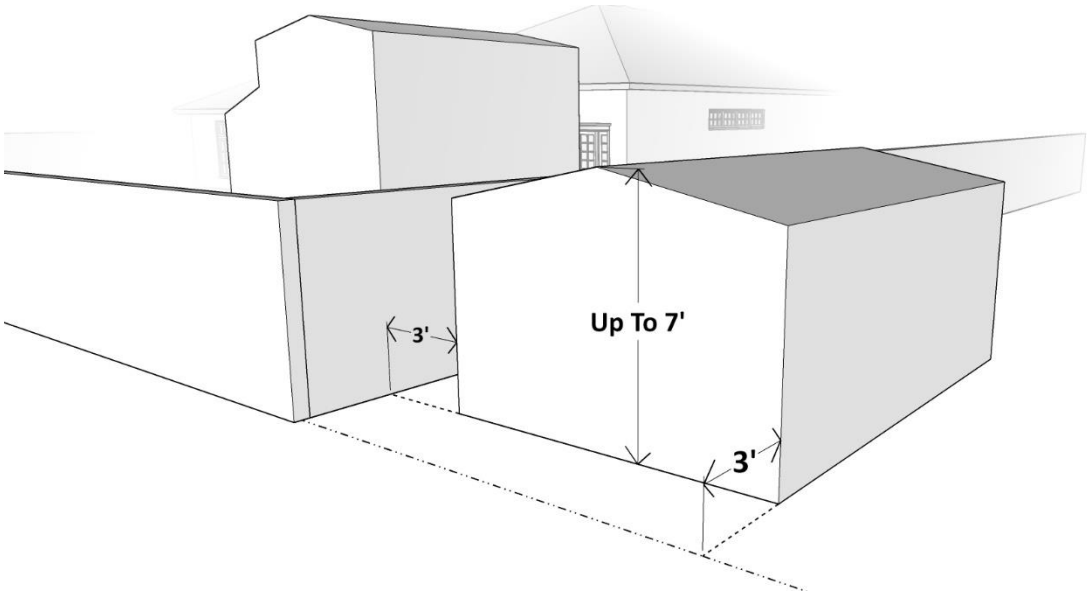
1. All principal uses allowed in a zoning district shall be deemed to include those accessory buildings, structures, and activities typically associated with the use as

described in the principal uses definition provided in Article 8 - Definitions, unless otherwise specified, or specifically prohibited, within this Section.

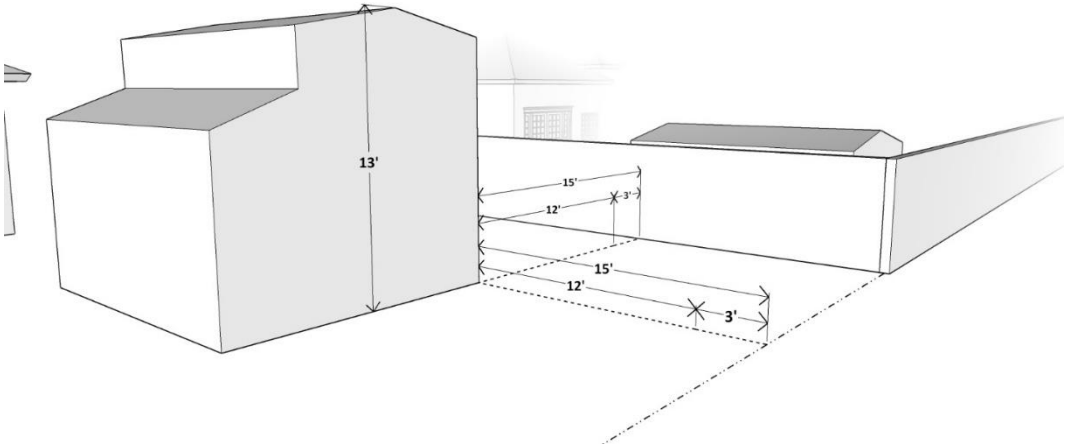
2. No accessory building or structure shall occur or be permitted on any lot or parcel until the principal building or use has been established or erected; unless both principal and accessory buildings and uses are conditional uses being established simultaneously.
3. Unless otherwise expressly stated, accessory buildings and structures are subject to the same lot, building, and development regulations as apply to principal uses and buildings.
4. Accessory buildings and structures must be operated and maintained under the same ownership and located on the same lot as the principal use to which they are accessory, unless otherwise expressly stated.
5. Accessory buildings and structures, except for accessory dwelling units as stated herein, shall not be used for living or sleeping quarters.
6. If the principal building or use is destroyed, removed or ceases to exist, the utilization of the accessory building, structure, or use shall no longer be allowed.
7. In the case of a conflict between the accessory building or structure standards of this Section and any other requirement of this Code, the more restrictive standards shall control.

B. Location standards for Accessory Buildings and Structures are as follows:

1. All detached buildings and structures must be located behind the nearest front plane of the principal building.
2. Accessory buildings and structures shall not be erected in any right-of-way or easement.
3. No accessory building (e.g. freestanding garage, pool house, etc.) shall be located within six (6) feet if fire rated and ten (10) feet if not fire rated of the site's principal building. If attached by any part of a common wall or covered roof to the principal building, said building shall be deemed a part of the principal building and shall conform to the development standards of the principal building.
4. Accessory structures (e.g. fence, deck, trellis, sun shade, etc.) may be attached or detached from the principal building. All required separation for applicable building and fire codes shall also be met.
5. Accessory buildings or structures up to seven (7) feet in height, unless otherwise specified herein, shall maintain a minimum setback of three (3) feet to the side and rear property lines.



6. For each foot over seven (7) feet in height, the side and rear setbacks for accessory buildings and structures shall be increased by two (2) feet, up to a maximum of the principal building setback requirements. *For example, a thirteen (13) foot tall accessory building shall require a minimum side or rear setback of fifteen (15) feet, ((13'-7') x 2') + 3'=15').*



7. Exceptions

   a. Movable and/or manufactured structures such as children's play equipment, trash enclosures, tool / storage sheds, and pet shelters smaller than 120 square feet in area and less than six (6) feet in height may be placed within a required rear or side yard setback, but not in a required landscape setback as specified in Section 35.4.100, and behind a property screen wall or behind the nearest front plane of the principal building where such a wall does not exist. In no event shall the roof of said structures be designed to allow water to drain onto adjacent property.

b. Rear yard setbacks for accessory buildings and structures in residential zoning districts shall be zero when an alley is present at the rear yard adjacent to another residential property. This shall be applicable to properties located within conventional subdivisions as well as to those within planned projects (i.e. PRD or PAD).

c. For any non-single-family residential use or non-residential use in any zoning district, accessory buildings and structures may be located in the side or rear yard subject to Section 35.4.310.A and 35.4.310.B, but shall adhere to any required landscape setbacks as specified in Section 35.4.100.

d. In the A-1 zoning district or for any non-single-family residential use or non-residential use in any district, accessory buildings and structures may be located in the front yard, but shall adhere to the required front setback.

C. Size standards for Accessory Buildings and Structures are as follows:

1. Maximum height of accessory buildings and structures in the R1, RR and SR zoning districts is sixteen (16) feet. Accessory buildings and structures in the A-1 zoning district shall have a maximum building height of twenty (20) feet. In all other districts, accessory buildings and structures shall not exceed the height of the principal building.
2. Maximum height of an amateur radio tower is seventy-five (75) feet.
3. The maximum gross floor area of any accessory building or structure shall not exceed 50% of the building footprint of the principal building.

a. Exception. This provision shall not apply to the following zoning districts: A-1, RR-45, C-3, B-P, M-1, and M-2.

4. Accessory buildings and structures, including tool/storage sheds, shall be included in lot coverage calculations for all zoning districts.

D. Appearance for Accessory Buildings and Structures are as follows:

1. Accessory buildings and structures shall be constructed of materials that have a visual appearance that is similar or complimentary to the principal structure in treatment and color. Common movable and/or manufactured structures such as children's play equipment, trash enclosures, tool / storage sheds, and pet shelters are exempt from this requirement.

35.3.204 Accessory Use Conditions

A. Accessory Dwelling Unit

1. An accessory dwelling unit (ADU) shall be subject to Zoning Clearance as described in Section 35.6.210
2. An accessory dwelling unit may only be located on a lot that is 8,000 square feet or larger in area and contains one single-family detached dwelling unit.
3. Only one accessory dwelling unit shall be permitted per single-family dwelling unit.
4. If the accessory dwelling unit is attached (i.e. located within the same building as the principal dwelling), the principal dwelling shall not be altered so as to appear to contain more than one dwelling unit.
5. An accessory dwelling unit shall not contain more than two bedrooms.

6. A manufactured home, mobile home or recreational vehicle shall not be used as an accessory dwelling unit. Any ADU that is constructed off-site is considered semi-permanent and must be placed on an approved foundation system.
7. An accessory dwelling unit shall be constructed of similar materials, colors, and architectural style to the principal dwelling.
8. An accessory dwelling unit shall meet all size, lot coverage and height requirements for accessory buildings, including the total area of the ADU shall not exceed 50 percent of the total under-roof footprint of the principal dwelling.
9. A detached accessory dwelling unit shall meet setback requirements for accessory buildings. An attached accessory dwelling unit shall meet setback requirements for the principal dwelling.
10. An accessory dwelling unit shall have no separate water or utility meters;.
11. An accessory dwelling unit shall have no separate address from the principal dwelling.
12. An accessory dwelling unit shall have no separate driveway or parking area from that of the principal dwelling as provided in Section 35.4.006.
13. Any ADU that is licensed as a travel vehicle by the State or any other State shall be considered nonpermanent housing and shall be allowed for uses similar to recreational vehicles as specified in this code.
14. If presented for rent, , the property owner, which shall include title holders and contract purchasers, must occupy either the main dwelling or the ADU as their principal residence. The main dwelling or ADU that is not occupied by the property owner may then be rented for individual periods of more than or less than thirty consecutive days (i.e. long-term or short-term rental). If the main dwelling or ADU is not owner-occupied, the ADU may not be leased, subleased, or rented separate and apart from the main dwelling for either long-term or short-term periods.

A. **Agricultural Stand**

1. Limited to structures of less than five hundred (500) square feet.
2. Stands shall not be located within any public right-of-way and shall be kept free of litter and debris.
3. Stands may be subject to specific ingress and egress requirements as determined by the Development Services Director or designee.

B. **Amateur Radio Tower**

1. Maximum height of an amateur radio tower is seventy-five (75) feet.

C. **Automatic Teller Machine**

1. Permitted accessory use in all non-residential and multiple residence zoning districts or when associated with permitted non-residential uses in single residence districts.
2. Walk-up (outdoor) only.
3. Walk- up (indoor) permitted by right if ancillary to a Principal use.
4. See Section 35.3.103.N and 35.4.013 for drive-through applications

D. **Automotive Charging Station**

1. Permitted accessory use in all non-residential and multiple residence zoning districts or when associated with permitted non-residential uses in single residence districts.

E. **Cargo Containers**

1. Cargo Containers shall be allowed in the A-1 zoning district and as an accessory use with any non-residential use allowed in all other zoning districts.
2. Containers that are designed to be used for storage and appear to be Cargo Containers, yet do not meet the specifications for commercial shipping, packing, or transportation of freight, shall comply with the requirements of this section.
3. A permit shall be obtained at the Development Services Department prior to placing a Cargo Container on a property.

    a. Exception. Licensed building contractors may use Cargo Containers in any zoning district for temporary storage of equipment and/or material at a construction site that has a valid building permit.

4. Cargo Containers shall be located on the side or rear of the principal building and must meet all development standards including setbacks, lot coverage and height regulations for the zoning district in which it lies and must also meet Fire Code requirements for placards as is necessary. Cargo Containers placed on the side of a principal building shall not extend beyond any portion of the principal building's front façade.
5. Cargo Containers shall not occupy any required off-street parking spaces with the exception of temporary use during construction activities authorized by a building permit.
6. Cargo Containers shall not be stacked, except when used for cargo purposes in the M-1 and M-2 zoning districts.
7. Cargo Containers shall not be connected to any utilities.
8. Cargo Containers shall be painted an earth tone color, shall not be used for advertisement, and shall be screened from public view with landscaping or an opaque screen wall/fence.

F. **Child Care, Home**

1. Use shall be licensed, certified or approved by the State of Arizona.
2. Vehicles belonging to employees and residents are required to park onsite, in the garage or on an approved paved driveway.
3. No signage for advertising or notification of use shall be permitted on or off the site.
4. A minimum of 600 square feet of open space shall be provided for an outdoor play area, none of which shall be located in the required front setback.
5. All outdoor recreation areas shall be completely screened and enclosed by a 6-foot-high solid masonry wall or wood fence with solid self-closing and self-latching gates.

G. **Home Occupations**

1. Home Occupations (Class I) are accessory uses in all residential districts. An occupation or profession is considered a home occupation when it:

a. Is conducted entirely from within the principal residence with no activity or storage in the garage or other accessory buildings, or in other outdoor areas, except as allowed below;

b. Is conducted only by a resident or residents of the dwelling unit (no employees other than the family), no outside employees visit the site;

c. Does not have any customer traffic or more than one (1) commercial delivery vehicle a day coming to the residence related to the home occupation;

d. Produces no offensive noise, vibration, smoke, dust, odors, heat, or glare beyond the boundaries of the property;

e. Is clearly incidental and secondary to the use of the dwelling unit for residential purposes with storage for the use limited to a maximum of five (5) percent of the total floor area and a maximum of ten (10) percent of the collective floor area of the garage or accessory building;

f. Has no signs or other exterior evidence of its existence;

g. A valid City sales tax and business license is maintained for business purposes;

h. Activity shall be limited to the hours between 7:00 a.m. and 10:00 p.m.; and

i. Any parking incidental to the home occupation shall be provided on site.

2. Home Occupations (Class II) are subject to conditional use permit in all residential districts. It is required when any of the following standards cannot be met by the proposed home occupation:

a. Is conducted entirely from within the principal residence with no activity or storage in the garage or other accessory buildings, or in other outdoor areas;

b. Is conducted only by a resident or residents of the dwelling unit (no employees other than the family), no outside employees visit the site;

c. Does not have any customer traffic or more than one (1) commercial delivery vehicle a day coming to the residence related to the home occupation.

3. Except as may be provided by conditional use permit approval in conjunction with a Home Occupation (Class II), no accessory use shall include outdoor display or storage of any of the following listed items, when such items are visible or emit odor, dust, gas, noise, vibration, smoke, heat, or glare, beyond any boundary of the lot on which such items are displayed or stored:

a. Any building or landscaping materials.

b. Any machinery, construction trailers, parts, or appliances.

c. Vehicles which are unlicensed, inoperable, or registered to or owned by persons not residing on, or the guests of persons residing on the premises.

d. Any other chattel used for or intended for a commercial purpose or ultimate use other than to subject premises.

H. **Livestock, Non-Commercial**

1. No Commercial breeding is permitted. Boarding of livestock is permitted subject to the maximum number of livestock allowed per lot.
2. In A-1 and RR Districts the following shall apply:

    a. Raising and grazing of livestock is permitted for a maximum of one (1) livestock animal per five thousand (5,000) square feet of open space. Two (2) swine shall be allowed per lot. The raising of poultry is permitted provided they are contained within a fence, coop or cage. Male fowl shall not be permitted within five hundred (500) feet of any residence or living space, including pool or patio, on an adjacent suburban residential, urban residential, or multiple residential zoned lot.

3. In SR Districts the following shall apply:

    a. Raising and grazing of livestock, excluding swine, is permitted for a maximum of one (1) animal per ten thousand (10,000) square feet of open space. The raising of poultry with the exception of male fowl, is permitted provided they are contained within a fence, coop or cage.

4. All livestock must be contained in a stock type fence and/or corral. No setback shall be required between such fence or corral when adjacent to property zoned A-1 or RR, or non-residential zoned lots. However, such fence or corral shall not be closer than one hundred (100) feet from any residence or living space, including pool or patio, on an adjacent SR, R1 or MR zoned lot.
5. Accessory buildings used specifically for permitted animals shall be subject to Section 35.3.203.

I. **Outdoor Display and Sales**

1. Outdoor display and/or sale of merchandise may be allowed as an accessory use for all commercial and industrial uses, provided that the display meets the following guidelines and regulations:

    a. Outdoor display and/or sale area shall be clearly defined on a site plan and approved by the Development Services Director or designee and may be subject to appropriate conditions by the Director or designee to ensure compliance with the provisions of this subsection.

        i. Exceptions: A permanent outdoor retail display area which is an integral part of a business, including but not limited to, Garden Centers and Auto, Boat, and RV Dealership display lots shall obtain site plan approval with all applicable development/improvements.

2. Shall be a fixed location that does not disrupt the normal function of the site or its circulation, and does not encroach upon required driveways, landscaped areas, parking lots, sidewalks, loading zones, or fire lanes. Displays shall not obstruct any entrance to a building or traffic safety sight areas or otherwise create hazards for pedestrian or vehicle traffic.
3. Display/sale of goods shall not be in any public right-of-way.
4. Shall directly relate to a business occupying a permanent structure on the same site, and shall display only goods of the primary business on the same site, unless associated with a non-profit organization.
5. Shall be limited to the hours of operation of the business and portable and removed from public view at the close of each business day, unless otherwise permitted through the site plan or development review process.

6. No merchandise shall be affixed to the exterior of a building or displayed so as to impede or interfere with the reasonable use of the store front windows for display purposes.
7. Shall be managed so that display structures and goods are maintained at all times in a clean and neat condition, and in good repair.
8. All signage shall adhere to Section 35.4.300, Signs

J. **Outdoor Storage**

1. Outdoor storage associated with principal use is permitted subject to the following conditions; however, the provisions of this paragraph shall not apply to outdoor storage associated with industrial or agricultural zoning districts:

   a. Storage areas must be fully screened from view by an opaque fence or concrete/masonry block wall that is no less than 6 feet, but no more than 8 feet in height. A landscaped earthen berm may be used instead of or in combination with a required fence or wall.

   b. The storage area screen fence/wall shall incorporate exterior colors and/or finishes to match the primary building.

   c. Stored materials shall not exceed the height of the lowest screen fence/wall, except as provided elsewhere in this ordinance.

   d. Storage area gates must be opaque.

   e. Storage areas shall be paved with concrete, asphalt, pavers, or gravel as approved by the Transportation Department.

   f. Storage areas shall not be located within a required off-street parking or loading area.

   g. No storage of any items may occur within the front setback area or within the street side yard building setback.

K. **Watchman's Quarters**

1. Permitted accessory use in all non-residential zoning districts when associated with permitted non-residential uses.
2. The watchman's quarters must clearly be accessory to the principal use.
3. Only one watchman's quarters per lot shall be permitted.
4. Watchman's quarters shall be an integral part of the principal building and shall not exceed 40% of building floor area, with a maximum quarter's size of 1,000 square feet.
5. A watchman's quarters shall consist of sleeping, kitchen, and bathroom facilities, and for the purposes of this Section shall not be considered an accessory dwelling unit.
6. There shall be no payment of rent by the occupant of the quarters;
7. The watchman's quarters and the principal building or use shall share utilities. Separate utility meters shall be prohibited.
8. At least one off-street parking space shall be provided for a watchman's quarters.
9. If the principal building or use is destroyed, removed, or ceases to exist, the utilization of the watchman's quarters shall no longer be allowed.

35.3.300 TEMPORARY USES

This Section allows for the establishment of temporary uses and/or activities which often do not meet the typical development or use standards of the applicable zoning district, but may be considered acceptable solely due to their temporary nature. These activities are regulated to protect and preserve the basic health, safety, and public welfare of the community, while also ensuring compatibility is maintained between the proposed activity and surrounding areas.

35.3.301 Temporary Use Approval

All allowed temporary uses shall obtain a Temporary Use permit, (unless otherwise stated in Section 35.3.302 or exempt as identified in subsection 35.3.303), pursuant to Section 35.6.213 Temporary Use Permit, of this Ordinance and provided that the temporary use complies with the standards and/or conditions specified in subsection 35.3.302 below.

35.3.302 Temporary Use Conditions

A. **Carnivals, Circuses, Concerts, Revivals, Rodeos and Similar Activities**

1. A Temporary Use Permit (private property) shall be obtained or a Special Event Permit when the event is on City property.
2. Staff shall ensure that health and fire safety is considered and shall solicit the comments of the County Health Department and Fire Chief/Marshall as necessary.
3. Staff shall ensure that land area is adequate for the proposed use's parking; and shall ensure that traffic safety is considered.
4. Staff shall require measures to adequately protect surrounding property.
5. Permanent structures shall not be allowed.
6. A Special Events Permit or a Temporary Use Permit shall pertain to the allowable activity permitted during the time limit of the permit. A change in ownership or sponsor applicant for the same activity during the time limit of the permit shall not constitute grounds for extending the time granted for the activity in the original permit.

B. **Corn Maze**

1. A temporary corn maze may be established subject to the following:
    a. The activity is based on corn growing on the subject property.
    b. A site plan to define access, parking dust control, temporary structures, signs and related improvements is approved by the planning department.
    c. Authorization by property owner and identification of responsible parties.
    d. Definition of the days and hours of operation.
    e. The facility shall not operate more than forty (40) business days within any eight (8) week calendar period.
    f. Any goods or services proposed for display or sales on the site shall be accessory to the special agricultural entertainment event.
    g. The facility meets all fire and public safety requirements for a temporary event.

h. The area of the corn maze shall be a minimum of five (5) acres but not exceed twelve (12) acres.

i. Any temporary structures must be removed at the end of the operations.

C. Donation / Recycling Drop-Off Boxes

1. Donation/Recycling Drop-Off Boxes are subject to the approval of a Temporary Use Permit (TUP) as well as the submission of a signed affidavit from the person requesting the TUP stating that the requestor has complied with Arizona state law regarding Donation/Recycling Drop-off Boxes and has the permission of the property owner to place the Donation/Recycling Drop-Off Box on the relevant property.
2. Donation/Recycling Drop-Off Boxes may be permitted as an accessory use to all permitted non-residential uses within a residential zoning district pursuant to this article.
3. Donation/Recycling Drop-Off Boxes shall be located on a paved surface.
4. Donation/Recycling Drop-Off Boxes shall not be located within the front or side yard setbacks, required landscaped areas or within required parking spaces.
5. Donation/Recycling Drop-Off Boxes shall not obstruct pedestrian or vehicular circulation, or be located within the public right-of-way, drive aisles, fire lanes, loading zones, or any other location that may cause hazardous conditions, or constitute a threat to the public health, safety, and welfare.
6. There shall be no more than one (1) Donation/Recycling Drop-Off Box on lots or parcels or shopping complexes/centers less than one (1) acre in size, no more than two (2) Donation/Recycling Drop-Off Boxes on lots or shopping complexes/centers of one (1) to three (3) acres in size, and no more than four (4) Donation/Recycling Drop-Off Boxes on lots or complexes/centers greater than three (3) acres in size. No more than two donation boxes shall be clustered together in any one location.

   Donation Box Allotment Example:

   a. Property or Premises/Complex Size up to 1 acre = 1 Box.

   b. 1—3 Acres = 2 Boxes *.

   c. 3 + Acres = 4 Boxes *

   * No more than 2 (two) Donation Boxes shall be clustered together in any one location.

7. Each Donation/Recycling Drop-Off Box shall have a firmly closing and locking lid, shall be clearly marked to identify the specific items and materials to be collected for donation, and shall be clearly marked to identify the City of Glendale Temporary Use Permit number. The numbers shall be a minimum of 2 inches high and located on the deposit face of the box. The mark shall identify if the entity is a non-profit or for-profit organization.
8. The name and local telephone number of the entity obtaining the TUP shall be affixed to the box on an area no larger than one foot by one foot.
9. Donation/Recycling Drop-Off Boxes shall have a capacity no greater than 6 cubic yards.
10. All donated items must be collected and stored in the Donation/Recycling Drop-Off Box and all contents cleared no less than once a week. Any items or materials left outside of the Donation/Recycling Drop-Off Boxes shall be removed within 24 hours of discovery or notification, whichever occurs first. If a container is damaged or vandalized, it must be repaired or removed within 5 business days of discovery or

notification. If there is a public health, safety or welfare concern pursuant to the authority granted to the City, the container must then be removed within 24 hours of discovery or notification.

11. It is the joint responsibility of the property owner or authorized agent and the entity obtaining the TUP to keep the area around the Donation/Recycling Drop-Off Boxes free of litter and debris, and remove any graffiti within 24 hours of discovery or notification, whichever occurs first.
12. It is the responsibility of the entity obtaining the TUP to maintain the Donation/Recycling Drop-Off Box in good condition that is rust and dent free.
13. Donation/Recycling Drop-Off Boxes not located or maintained in compliance with this Article may be subject to revocation of the Temporary Use Permit (TUP).
14. The City may consider prior permit revocations, prior notices of violation, and fraudulent application information when granting or denying new Temporary Use Permits for Donation/Recycling Drop-Off Boxes.
15. Any Donation/Recycling Drop-Off Box (including its contents) which is determined to be unauthorized, unpermitted, or is otherwise in violation of this ordinance shall be deemed a public nuisance and may be removed pursuant to those provisions.
16. The property owner shall control the Temporary Use Permit. The permittee or drop box operator does not control the Temporary Use Permit unless he/she is also the property owner. As such, the property owner or authorized agent may rescind his/her authorization for the Donation/Recycling Drop-Off box at any time and the permit shall be revoked. Property owners may remove a Donation/Recycling Drop-Off box in accordance with Arizona state law.
17. Arizona state law governing drop boxes applies to Donation/Recycling Drop-Off Boxes.

D. **Farmer's market, temporary**

1. Limited to not more than two (2) days of operation per seven (7) day period.

E. **Mobile Food Vending**

The purpose of this subsection is to protect the health, safety and welfare of the community of the City of Glendale by enacting reasonable regulation for mobile food vendors, their employees, agents, lessees or independent contractors by requiring compliance with minimum standards for safety and security.

1. Generally

   a. The mobile food unit and its customers shall not obstruct the movement of pedestrians or other vehicles using the sidewalk, street, alley, or other public right-of-way.

   b. All associated activities shall occur on a dustproof surface, except for mobile food vendors serving active construction sites.

   c. Hours of operation shall exclude the hours between 10:00 p.m. and 6:00 a.m. unless a Special Event permit has been issued and specifically expands the hours of operation.

   d. Mobile food vendors shall comply with all applicable City of Glendale sign regulations.

e. A mobile food unit shall have adequate lighting to ensure customer safety in the vending area. Lighting shall be directed downwards and away from rights-of-way and adjacent properties.

f. The mobile food unit and the surrounding vending area shall be maintained in a safe and clean manner at all times.

g. The site shall be kept free of refuse, trash, and litter, which shall be removed from the site daily.

h. Temporary restrooms shall be prohibited.

i. Permanent modifications to the site shall be prohibited.

2. Compliance with State Licensing Requirements

It shall be unlawful for any person to operate a mobile food unit or act as a mobile food vendor without having first obtained a valid license from the State of Arizona Department of Health Services pursuant to A.R.S. § 36-1761.

3. Compliance with City Licensing Requirements

A mobile food vendor shall be required to maintain a current City of Glendale business license.

4. Location:

a. Private property.

i. A mobile food vendor shall obtain written permission to use any private property where a mobile food unit is operating and shall provide proof of such written permission on demand by the City.

ii. Notwithstanding the permission of a person owning or having lawful control of private real property, a mobile food unit shall not remain in one location on private property for longer than ninety-six (96) consecutive hours, unless the City grants permission for a permitted event greater than four (4) days. “One location” within this subsection means a location within a parcel of land and includes movements from different parked positions within the same parcel.

b. Public Property

i. A mobile food vendor shall only operate in a legal parking space. If the mobile food vendor desires to operate on City property other than a legal parking space in a right-of-way, the mobile food vendor shall obtain from the City: (1) a separate licensing for use, services contract, or similar agreement, which will be entered into at the City’s sole discretion and applicable law; or (2) a Special Event permit or similar permission in accordance with the City Code.

c. Residentially Zoned Property. A mobile food vendor shall not operate in an area zoned for residential use or within two hundred fifty (250) feet of an area zoned for residential use, except:

i. A mobile food vendor selling only ice cream or similar confections intended to be sold in a manner that requires limited-duration stops may operate on public rights-of-way in areas zoned for residential use; or

ii. Subject to applicable laws and the City Code a mobile food vendor may operate on private property in a residential area if the mobile food vendor obtains a separate agreement with the property owner to operate a mobile

food unit for a maximum of six (6) hours within a twenty-four (24) hour period on the private property.

iii. Mobile food vendors serving active construction sites shall be permitted to operate a mobile food unit for a maximum of three (3) hours within a twenty-four (24) hour period on the private property.

5. Parking. A mobile food unit shall comply with this subsection and applicable law as it pertains to parking, unless parking is governed by a separate subsection in this article.

   a. A mobile food unit shall only operate in legal parking spaces.

   b. A mobile food unit, including any semi-permanent structure used or associated with the mobile food unit, may use no more than one (1) legal parking space, unless the mobile food vendor has a separate agreement with the City to use additional legal parking spaces or parking spaces on City property other than right-of-way.

   c. No mobile food unit exceeding twenty-four (24) feet may park diagonally in a diagonal parking space or park in any manner that occupies more than one (1) diagonal parking space.

   d. No mobile food unit shall operate with the serving window facing street traffic.

   e. A mobile food unit shall abide by all parking regulations, including posted time limits. If there are no other time restrictions on the use of a legal parking space, a mobile food unit shall not occupy a legal parking space for more than six (6) hours in a twenty-four (24) hour period. “Occupy” within this subsection means within one hundred (100) feet of the place in which the mobile food unit was initially parked.

   f. A mobile food unit shall not occupy a legal parking space with insufficient parking capacity as prescribed by City Code and applicable law, and includes occupying a legal parking space that reduces the number of available parking spaces surrounding the area which is required for the principal use or uses of the property associated with the parking spaces as set forth in A.R.S. Title 9, Chapter 4, Article 7.2.

   g. A mobile food vendor shall not claim or attempt to establish any exclusive right to park at a particular street location, unless the parking space is part of a permitted event.

6. Noise.

   a. A mobile food vendor shall not use, play, or caused to be used or played any loudspeaker, microphone, amplified music, or other amplified instrument or device used for the production of sound in a vending area when the motor vehicle or mobile food unit from which mobile food vendor is vending is stationary or mobile upon any right-of-way, park or other public place. For the purposes of this subsection, the factors for determining whether a sound is amplified include, but are not limited to, the following:

      i. The proximity of the sound to sleeping facilities, whether residential or commercial;

      ii. The land use, nature, and zoning of the area from which the sound emanates and the area where it is received or perceived;

iii. The time of day or night when the sound occurs; it shall be presumed that any amplified noise between 10:00 p.m. and 6:00 a.m. is reasonably disturbing;

iv. The duration of the sound; and

v. Whether the sound is recurrent, intermittent, or constant.

F. Mobile Outdoor Vendors

1. A mobile outdoor vendor shall not be required to obtain a Temporary Use Permit, however, shall be required to obtain a business license from the City.

2. The provisions of this subsection shall not apply to any event located on City owned property or authorized by any other permit issued by the City, such as a farmer's market; an authorized festival; or recreational event if the mobile vendor is in partnership with the organization conducting the event and is located on the site of the event.

3. A mobile outdoor vendor shall only be permitted to operate on city owned property or on private property with the written permission of the owner and shall provide proof of such written permission on demand by City officials or law enforcement officers.

4. A mobile outdoor vendor is only permitted on properties that have been established with principal uses. Mobile Outdoor Vendors shall be prohibited from operating on vacant or unoccupied parcels.

5. Mobile Outdoor Vendors shall be restricted from operating within the public right-of-way or any Residentially Zoned District.

6. A mobile outdoor vendor shall not operate at the same site or center for more than six (6) consecutive hours within a 24-hour period. This period includes time needed for setup, operation and takedown.

7. No more than one mobile outdoor vendor shall operate at the same time at the same site or center, unless a Temporary Use Permit has been obtained.

8. All licenses/permits shall display in a visible and conspicuous location at all times during the operation of vending.

9. One (1) A-Frame or Sandwich sign shall be allowed per vending operation.

10. Vending operations are subject to all City noise regulations.

11. Vending operations shall be taken down when not in use.

12. Vending operations shall provide the City a Certificate of Insurance evidencing general and product liability coverage and naming the City as an additional insured.

13. Mobile Outdoor Vendors shall not:

    a. Be left unattended

    b. Be parked or placed in any area that might impede or inconvenience the public.

    c. Be parked within the sight visibility triangle. See City of Glendale Engineering Design Standards for specific sight visibility triangle requirements.

G. Seasonal Sales and Special Events

1. Temporary sales or display of goods or special events are allowed only if they are related to a particular seasonal, cultural, traditional, or community activity or event for a period not to exceed thirty (30) calendar days, as determined by the Development

Services Director or designee. In making a determination, the Development Services Director or designee shall consider the following criteria:

a. The nature, scope, location, and manner of operation of the activity or event does not constitute a health or safety hazard to the public.

b. The goods or services displayed are customarily and traditionally related to a widely celebrated or observed seasonal or other activity, event, or holiday.

c. The goods and services are displayed in connection with fund raising or other activities by a school, church, social agency, or other community or nonprofit organization.

d. The activity or event is consistent with other uses permitted in the zone district.

e. The use does not interfere with pedestrian access-ways, fire lanes, driveways, landscape areas, or traffic visibility at driveway entries and street intersections.

f. Parking on the property is adequate to serve any existing permanent uses and the seasonal sale or special event use.

g. Fireworks Displays

   i. Fireworks sales may only be located on commercially zoned properties and on residentially zoned properties with permitted non-residential land uses.

   ii. Outdoor fireworks displays, sales, and tents are to be located on an improved surface.

   iii. Only one fireworks vendor shall be allowed to locate on each property.

   iv. A maximum tent or canopy size of 800 square feet is permitted.

   v. Property owner authorization is required

h. Short Term Special Events

   i. Short term special events that are part of a promotional event shall be regulated as follows:

      (a) Short term typically last for one (1) day or a weekend but can be approved for up to ten (10) consecutive calendar days. Short term special events are allowed up to four (4) times per calendar year, with a thirty (30) day waiting period between events.

H. **Temporary Office or Construction Trailers**

1. Temporary office trailers are allowed only after building permits have been issued for the permanent building(s) to occupy the site.

2. May be authorized for use exclusively as a temporary office or construction shed incidental to a construction project for a period of twelve (12) months. The Development Services Director or designee may authorize extensions of additional six (6) month increments where construction within the project site is proceeding in a timely fashion.

3. May be authorized for use as a home sales office when building permits have been issued for a subdivision model home complex. The permit is not to exceed six (6) months. A development plan is required to be approved by the Development Services Director or designee.

35.3.303 Exempt Temporary Uses

The following temporary uses and events are exempt from the requirement for a Temporary Use Permit, but may require other City approval to ensure public health, safety, and welfare.

A. Garage/Yard Sales are permitted for no more than three (3) events of forty-eight (48) hours or less within a twelve (12) month period at the same residence or street address.

B. Events which occur in meeting halls, theaters, or other permanent indoor or outdoor public assembly facilities subject to all applicable regulations of this Code.

C. Promotional activities related to the primary product lines of a retail business, and similar activities (e.g. book readings and signings at book stores, opening receptions at art galleries).

D. Emergency public health and safety activities.

E. Temporary nonprofit or fundraising car washes are permitted in non-residential districts.

F. City sponsored events.

G. Events held on City owned property shall obtain a Special Event Permit.

ARTICLE 4 - GENERAL DEVELOPMENT REGULATIONS

This Article establishes general development criteria for property within the City, including regulations for off-street parking, landscaping and screening, signage, and lighting.

35.4.000 OFF-STREET PARKING

This Section establishes the off-street parking and driveway requirements for all new development and changes in use or intensity of use for existing development. These requirements include the number of required spaces and their sizes, parking area and driveway design, bicycle parking requirements, and loading and unloading standards.

35.4.001 Purpose

It is the primary purpose of this Section to ensure the adequate provision of automobile and bicycle parking, loading, and maneuvering for each specified land use or land use category. The intent of the regulations set forth in this section are to further minimize excess, and often unused, parking areas, alleviate on-site traffic congestion, and minimize vehicular-pedestrian conflicts. This Section also seeks to mitigate the visual and urban design impacts of parking lots by reducing the scale of parking areas through proper landscape and site design standards.

35.4.002 General Applicability

A. This section shall apply to off-street parking for all new development and changes in use or intensity of use for existing development in all zoning districts. Every building and use, including a change or expansion of a building or use shall provide accessory parking and loading areas as set forth below.

1. New Buildings and Land Uses: Off-street parking and loading shall be provided as required by this Section at the time any new building or structure is erected, or any new land use is established.

2. Expansion of Existing Nonresidential Buildings: When the floor area of an existing building is increased, additional off-street parking and loading shall be provided as required by this Section for the additional floor area only, provided that the existing parking was legally established and has not been reduced. If the number of existing parking and loading spaces is greater than the requirements for such use, the number of spaces in excess of the prescribed minimum may be counted toward meeting the parking and loading requirements for the addition or enlargement.

3. Addition of Use to Existing Nonresidential Buildings: When a new use locates on a parcel with an existing use, all off-street parking shall be provided to meet the total number of spaces required for the existing use and the new use, unless the uses meet the requirements of alternative guidelines that are expressly allowed by other provisions of this Code.

4. Change in Use of Existing Nonresidential Buildings: When a change in use requires more off-street parking than the previous use, additional parking and loading spaces shall be provided equivalent to the difference between the number of spaces required by this Section for the immediately previous use and the total number of spaces required by the new use. A change in occupancy is not considered a change in use unless the new occupant is in a different use classification than the former occupant.

5. Alterations That Increase the Number of Dwelling Units: The creation of additional dwelling units through the alteration of an existing building or construction of an additional structure or structures requires added off-street parking, as required by this

Section, to serve the new dwelling units. This requirement does not apply when sufficient off-street parking exists to provide the number of spaces required for the existing and new dwelling units.

6. Reduction in Parking Area: It shall be unlawful for an owner of any building or use affected by this section to discontinue, change or dispense with, or to cause the discontinuance or change of the required parking or loading space without first having established other parking spaces which meet all requirements of this Section to replace those being lost or except after proof that, by reason of reduction in floor area, seating area or other factors, the proposed reduced area for off-street parking or loading will conform to the requirements of this Section.
7. When Required: Off-street parking and loading facilities required by this Section shall be constructed or installed prior to the issuance of a certificate of occupancy for the uses that they serve.

35.4.003 General Parking Regulations

A. All parking spaces and driveway areas serving such parking spaces shall be surfaced with concrete, asphalt, or paving blocks.

B. Required parking shall be provided on-site or on contiguous lots subject to a shared parking agreement unless otherwise stated herein.

C. Off-street parking areas shall not encroach into a front setback or any required landscape buffer or landscape setback unless otherwise stated herein.

D. In determining the required parking for a use based on its building square footage, square feet shall mean the gross floor area of the building or suite occupied by that use unless otherwise stated herein.

E. All parked vehicles must comply with unobstructed view easement and sight distance requirements as identified in the City of Glendale Engineering Design Standards.

F. Continuous curbing at least six inches high and six inches wide shall be provided around the perimeter of all parking and drive aisle areas. Curbing located adjacent to stormwater facilities may contain curb cuts to allow for necessary drainage.

G. Landscaping and screening of parking lots shall be in accordance with Sections 35.4.100 – Landscaping and 35.4.200 – Screening, Walls & Fences of the Glendale Unified Development Code.

H. Parking lots shall be designed in groupings no larger than 200 spaces. Larger lots shall be divided by buildings, plazas, or landscaped areas.

I. Parking areas shall provide reasonable connectivity to adjacent parking areas, when requested by the City to promote convenience, safety and efficient circulation. A cross access agreement guaranteeing the continued availability of shared access between properties and running with the land shall be recorded by the owners of the abutting properties.

J. All off-street parking areas shall be designed so as to provide ingress and egress from a public street by the forward motion of the vehicle. Required off-street parking spaces shall be accessible without backing into or otherwise reentering a public right-of-way.

K. All parking spaces, excluding single residence homes, shall be permanently marked with four-inch (4") wide painted lines. Circulation aisles, approach lanes, and turning areas shall be clearly marked with directional arrows and lines to ensure safe traffic movement.

L. It shall be the joint and separate responsibility of the owner and/or lessee of the principal use, uses or building to maintain in a neat and adequate manner, the parking space, access ways, striping, landscaping, and required fences or screening.

M. Off-street parking spaces shall not be used for storage, sale or rental of goods, parking or placement of shipping container(s), or storage of inoperable vehicles, unless otherwise stated herein or permitted as a Special Event.

N. Parking lots shall be illuminated from sunset to sunrise. Lighting fixtures shall be no taller than twenty-five (25) feet, except where the property being illuminated is adjacent to single family residential uses, in which case, any lighting fixtures within one hundred (100) feet from the residential property line shall be no taller than sixteen (16) feet. All lighting fixtures shall be directed downward and shielded to prevent light spillage onto adjacent properties.

O. Parking shade canopies are encouraged for non-residential and multiple-family residential uses. Parking canopies shall adhere to the following location and development standards:

1. Setbacks shall be measured from the property line to the nearest face or component of the canopy.
2. Canopies shall not encroach into a front setback or any required landscape buffer or landscape setback.
3. Canopies located in accordance with zoning district setbacks shall not exceed fifteen (15) feet in height.
4. Canopies shall not exceed ten (10) feet in overall height when located within ten (10) feet of any single residence property line.
5. Canopies shall not be placed in a manner that reduces the minimum width or vertical clearance of any required drive aisle.
6. Canopies shall be constructed of steel or aluminum or a combination thereof and shall be subject to Design Review and approval. Staff shall review the structure for height, placement, and color to ensure proper height and setbacks are maintained and colors are consistent with the primary building or design theme. Fabric may be used for the cover portion of the canopy provided it is free of text or signage, kept in good repair, and complementary to the approved color palette of the primary building or design theme.

35.4.004 Parking Space Dimensions

All vehicular parking areas shall comply with the minimum dimension requirements as set forth below:

Table 4.000-1: PARKING SPACES AND DRIVE AISLE DIMENSIONS

A	B	C	D	E
Parking Angle	Parking Space Width [3]	Parking Space Length [1]	Aisle Width (1-Way) [4]	Aisle Width (2-Way) [4]
Standard (90°) [5]	10'[6]	20' [6]	23'	23'
Angled	9'	18'	18'	20'
Parallel (0°)	9'	24'	12'	24'

(1) Parking spaces may include a 1.5-foot overhang into landscape or pedestrian areas provided that these areas maintain a minimum 5-foot, unobstructed clear space for their intended respective purposes. No part of any parked vehicle may be within five (5) feet of a street curb where no sidewalk exists. Parking curbs / stops shall be used to prevent excess encroachment.

(2) ADA spaces shall comply with the City of Glendale Engineering Design Standards

(3) Vehicle compact parking spaces shall, at minimum, measure eight (8) feet in width by sixteen (16) feet in length.

(4) Width may be increased where required by the Fire Department.

(5) The minimum parking width and length for standard off-street parking spaces shall apply to parking on residential lots and covered spaces, unless otherwise stated herein.

(6) Low turnover uses may utilize a minimum parking space width of nine (9) feet and length of eighteen (18) feet.

35.4.005 Required Parking Ratios

A. Any building or use hereafter erected, converted, or enlarged shall be provided with not less than the minimum spaces as set forth below, which spaces shall be readily accessible to the uses served thereby. Fractional numbers of parking spaces shall be increased to the next whole number.

Table 4.000-2 Parking Ratios

Specific Use	Required Vehicle Spaces
Agricultural	
Agriculture, Stables	Commercial: One per 5,000 SF of lot area Non-Commercial: N/A
Agritainment	Parking Justification Study (see section 35.4.005.E)
Urban Agriculture, Noncommercial	One per 5,000 SF of lot area
Residential	
Single-Family Detached and Attached	Two spaces per dwelling unit with minimum 1 covered
Multi-Family; Residential component of Mixed-Use Residential	Studio and one-bedroom unit - 1.5 space per unit Two-bedroom units - 1.5 spaces per unit Three or more bedroom units - 2 spaces per unit
Live/Work	Two spaces per dwelling unit
Manufactured Home Park	Two spaces per dwelling unit + 1 space for every 8 dwelling units/lots for guests
Recreational Vehicle Park	One space per RV space + 1 space for every 8 RV spaces for guests
Residential Care Home, Residential Care Center, Group Care Home	Same as single-family detached and attached
Senior Care, Assisted Living, and Memory Care Facilities	One space per 3 beds + 1 space per employee on a normal shift
General Commercial and Professional Office	
Commercial Entertainment, Indoor	With fixed seats: One space per 4 fixed seats or one space per 300 SF GFA, whichever is greater Without fixed seats: One space per 200 SF GFA
Commercial Entertainment, Outdoor	Five spaces per acre of facility + one space per 4 persons of total maximum capacity of facility
Retail, General	One space per 300 SF GFA
Retail, Large	Indoor portion: One space per 300 SF GFA Nursery or similar outdoor portion: One space per 400 SF of sales and display area

Shopping Center, Community or Neighborhood	Parking Justification Study (see section 35.4.005.E)
Personal Services	One space per 300 SF GFA
Automotive Refueling Station	Space at pump + one space per fueling position
Automotive Refueling Station, with Convenience Store	Space at pump + one space per fueling position + one space per 300 SF GFA
Automotive Repair and Service	Three spaces per service bay + one space per 350 SF of additional retail sales and service area (service bay shall not be counted as a parking space)
Restaurant, Full Service	One space per 120 SF GFA + one space per 400 SF of outdoor seating area
Restaurant, Limited Service	Indoor service and preparation area: one space per 75 SF GFA Outdoor service area: one space per 400 SF of outdoor seating area
Office, Business or Professional	One space per 300 SF GFA
Medical, Offices and Clinics	One space per 350 SF GFA
Car Wash	Full-service: One space per 200 SF of sales, office and lounge area Self-service: 0.5 spaces per bay + stacking
Bar or Cocktail Lounge	One space per 75 SF patron space + one space per 200 SF of outdoor seating area
Hotels and Motels	One space per guest room + one space per 4 persons of total maximum capacity of banquet room (if present) + two spaces per 3 employees
Hotels, Resort	Parking Justification Study (see section 35.4.005.E)
Medical, Hospitals	One space per 2 inpatient beds + one per employee on a normal shift
Microbrewery, Craft Distillery or Tasting Room	One space per 150 SF patron space
Shopping Center, Community/Neighborhood	Parking Justification Study (section 35.4.005.E)
Veterinary Clinic	One space per 400 SF GFA
Veterinary Hospital, Emergency	One space per 400 SF GFA
Industrial	
Broadcast Studios	One space per 200 SF GFA
Data Center	Parking Justification Study (see section 35.4.005.E)
Helistops or Heliports	Parking Justification Study (see section 35.4.005.E)
Resource Extraction and Processing	Parking Justification Study (see section 35.4.005.E)
Animal Kennel / Animal Shelter	One space per 600 SF GFA
Self-Storage, Indoor	One space per 50 units or one space per 5,000 SF of storage area, whichever is greater, plus one space for watchman, if applicable.
Manufacturing and Assembly, Major	One space per 1,000 SF of warehouse area + one space per 350 SF of office area
Manufacturing and Assembly, Minor	One space per 500 SF of warehouse area + one space per 350 SF of office area
Warehouse or Distribution Center	One space per 2,000 SF of warehouse and/or 5,000 SF of yard related area + one space per 350 SF of office area
Building materials sales	One space per 500 SF of sales related area + one space per 350 SF of office area
Storage, Recreational Vehicles	Minimum four spaces + one space per employee
Storage, Outdoor	Parking Justification Study (see section 35.4.005.E)
Travel Plaza / Truck Stop	Parking Justification Study (see section 35.4.005.E)

Public / Semi-Public	
Assembly Hall/Auditorium; Community Center	One space per 4 fixed seats or one space per 300 SF GFA where fix seating is not provided
Cemetery or Mausoleum	Minimum 5% of the gross area shall be made available for parking
Child Care, Center	One space per 400 SF GFA
Community Playfields and Parks	Parking Justification Study (see section 35.4.005.E)
Community Recreation Center, Private	One space per 300 SF GFA
Country Club	Parking Justification Study (see section 35.4.005.E)
Golf Course	Parking Justification Study (see section 35.4.005.E)
Government Offices and Civic Buildings	One space per 300 SF GFA
Place of Worship	One space per 4 fixed seats or one space per 300 SF GFA where fix seating is not provided
Private Schools, Colleges, and Universities; without Dormitories	Parking Justification Study (see section 35.4.005.E)
Private Schools, Colleges, and Universities; with Dormitories	Parking Justification Study (see section 35.4.005.E)
Social Service Facility	One space per 4 beds (based on maximum capacity)
Utility Facility and Service Yard	One space per employee + one space per fleet vehicle if present at site
School, Public or Private, K- 8	One space per classroom + one space for each 200 SF of indoor assembly area
School, Public or Private, 9- 12	One space per 200 SF of classroom and office area

B. Multiple Uses. Unless otherwise specified, lots containing more than one use shall provide parking and loading in an amount equal to the total of the requirements for all activities.

C. Shell Buildings. Where buildings are constructed without uses specified (i.e. shell buildings), the use with the highest parking requirement among all uses specified for the zoning district where the site is located shall be used to calculate off-street parking requirements.

D. Unspecified Uses or Parking Ratios. Parking for land uses or parking ratios not specifically listed in Table 4.000-2 shall be determined by the Development Services Director or designee, based upon the requirements for the most similar and comparable use, the particular characteristics of the proposed use, and any other relevant data regarding parking demand. Alternatively, the Development Services Director or designee may require the applicant to submit a Parking Justification Study as specified in Section 35.4.005.E or other information, at the applicant's cost.

E. Parking Justification Study.

1. For uses with considerable variation in scale, operational characteristics, and parking demand that benefit from a case-by-case analysis, applicants may submit a Parking Justification Study.

2. A Parking Justification Study shall be prepared by a professional with expertise in traffic and parking analyses, unless the City determines that a professional analysis is not necessary and include the following:

a. Estimates of proposed parking demand and spaces based on recommendations of the Institute of Transportation Engineers (ITE) Parking Generation Manual that includes existing and proposed onsite buildings or uses, including hours of operation and peak use time and demand for each proposed building or use. This analysis may also include other reliable data sources or collected from uses or combinations of uses that are the same as or comparable with the proposed use.

b. The number and location of proposed onsite standard, compact, and ADA accessible parking spaces.

c. All existing and anticipated available parking within the proposed development and within 660 feet of the proposed use.

d. If parking demand is proposed to include offsite parking, copies of any shared parking agreement or other evidence of a right to park in that location shall be included.

e. The proximity of the proposed parking to existing residential neighborhoods and an explanation of how uses will not place a parking burden on residential streets. Off-site parking may be restricted on narrow streets or streets that have or will have bike lanes.

f. Availability of and proximity to transit or other modes of transportation.

g. Bicycle parking demand and provisions.

h. Demand for commercial ride sharing and on-site drop-off / pick-up areas.

i. Off-street loading requirements and impacts on surrounding uses and properties.

j. Any other information deemed appropriate by the Development Services Director, Design and Transportation Director, or designee. Such information may include a traffic study.

3. Any study that requests a reduction in parking requirements by 25 percent or more shall further prepare a Transportation Management Plan (TMP) which shall be approved by the City and recorded with Maricopa County. The amount of parking reduction shall be discretionary to be determined by the City, and depends on the type and extent of strategies in the TMP, which may include:

a. Transit passes or equivalent alternative transportation mode subsidies for tenants

b. Alternative transportation information center located in the building

c. Resident Carpool and/or Ridematch Program

d. Enhanced shuttle service (or contributions to extend or enhance existing shuttle service or to create new shared or public shuttle service)

e. Subsidized membership in a private car-share company

f. Resident Car Share Program (residents share their privately owned cars with other residents)

g. On-site bicycle share program for residents or the general public

h. Limitation of “assigned” parking to one space per residential unit

i. Provision of priority parking spaces for carpools/vanpools

j. Bike-repair/workshop space in the building

k. Lease provisions and monitoring requirements for the property owner to ensure that tenants are not parking off site

l. Presence of basic daily uses within ¼-mile, such as grocery/corner store, drug store, or child care; and/or weekly uses such as bank, convenience store, restaurant, or theater

m. Designation of a Transportation Coordinator to manage the TMP, actively monitor, pursue and report mode shift goals, and be a point of contact for the City. Where monitoring reports indicate that performance measures are not met, the City may require further program modifications.

n. Other approaches accepted by the City that reduce parking demand.

4. Criteria for evaluation of a Parking Justification Study shall include, but is not limited to:

   a. Impacts to abutting properties or right-of-ways, dedicated tracts, or easements

   b. Compatibility with the character of the surrounding properties and their parking facilities

   c. Equivalence to the intent and purpose of the original parking requirements

   d. Impacts to safety and public services

5. The parking justification analysis process:

   a. Submission to the Development Services Director, Transportation Director, City Engineer, or designees.

   b. Approval or rejection with written explanation.

   c. Revision or appeal to Board of Adjustment.

35.4.006 Residential Off-Street Parking

A. All residential lots shall provide a dustproof driveway between a public street or private drive and all required parking spaces. If access to a public street is provided via an alley, the alley and driveway shall be a dustproof surface.

B. For lots less than 8,000 square feet in area, all of the following shall apply:

   1. No more than 50% of the front yard area portion of a property that is located on the street side of an approved solid wall, fence, or gate may be improved with a dustproof driveway, parking, or maneuvering area. Where such screening does not exist, the identified front yard shall serve as the basis for calculating the allowed driveway, parking, or maneuvering area.

2. For corner lots, the identified front yard shall also be used to calculate the maximum, permitted dustproof driveway, parking, and maneuvering area, however, the calculated maximum dustproof area may be allocated across both front and street side yards.

3. The maximum, continuous width of any driveway, parking, or maneuvering area shall not exceed thirty (30) feet or 50% of the lot width as measured at the front setback, whichever is less, however, this width may be expanded to accommodate side entry garages.

4. All driveway, parking or maneuvering areas within the front yard shall be prohibited from being located in front of any living space of a dwelling, except to provide direct access to a permitted garage or carport or to allow for the placement of a circular drive.

C. For lots 8,000 square feet or more in area, all of the following shall apply:

1. No more than 40% of the front yard area portion of a property that is located on the street side of an approved solid wall, fence, or gate may be improved with a dustproof driveway, parking, or maneuvering area. Where such screening does not exist, the identified front yard shall serve as the basis for calculating the allowed driveway, parking, or maneuvering area.

2. For corner lots, the identified front yard shall also be used to calculate the maximum, permitted dustproof driveway, parking, and maneuvering area, however, the calculated maximum dustproof area may be allocated across both front and street side yards.

3. The maximum, continuous width of any driveway, parking, or maneuvering area shall not exceed forty (40) feet or 50% of the lot width as measured at the front setback line, whichever is less, however, this width may be expanded to accommodate side entry garages.

4. All driveway, parking or maneuvering areas within the front yard shall be prohibited from being located in front of any living space of a dwelling, except to provide direct access to a permitted garage or carport or to allow for the placement of a circular drive.

D. All vehicles shall be parked, stored or maneuvered on a dustproof surface such as concrete, pavers, asphalt, or crushed rock or aggregate that is a minimum of three inches thick. All crushed rock or aggregate shall be distinctly different than any adjacent landscaping groundcover through material type and/or color and shall be contained by a permanent border. Permanent borders for asphalt surfaces are recommended. All dustproof surfaces shall be maintained and kept free from weeds, grass, or other vegetative growth.

E. Circular driveways and similar circulation areas shall be allowed within the front yard so long as:

1. The circular driveway or similar circulation area was:

a. constructed at the same time the primary structure was constructed under the then-existing zoning classification, or

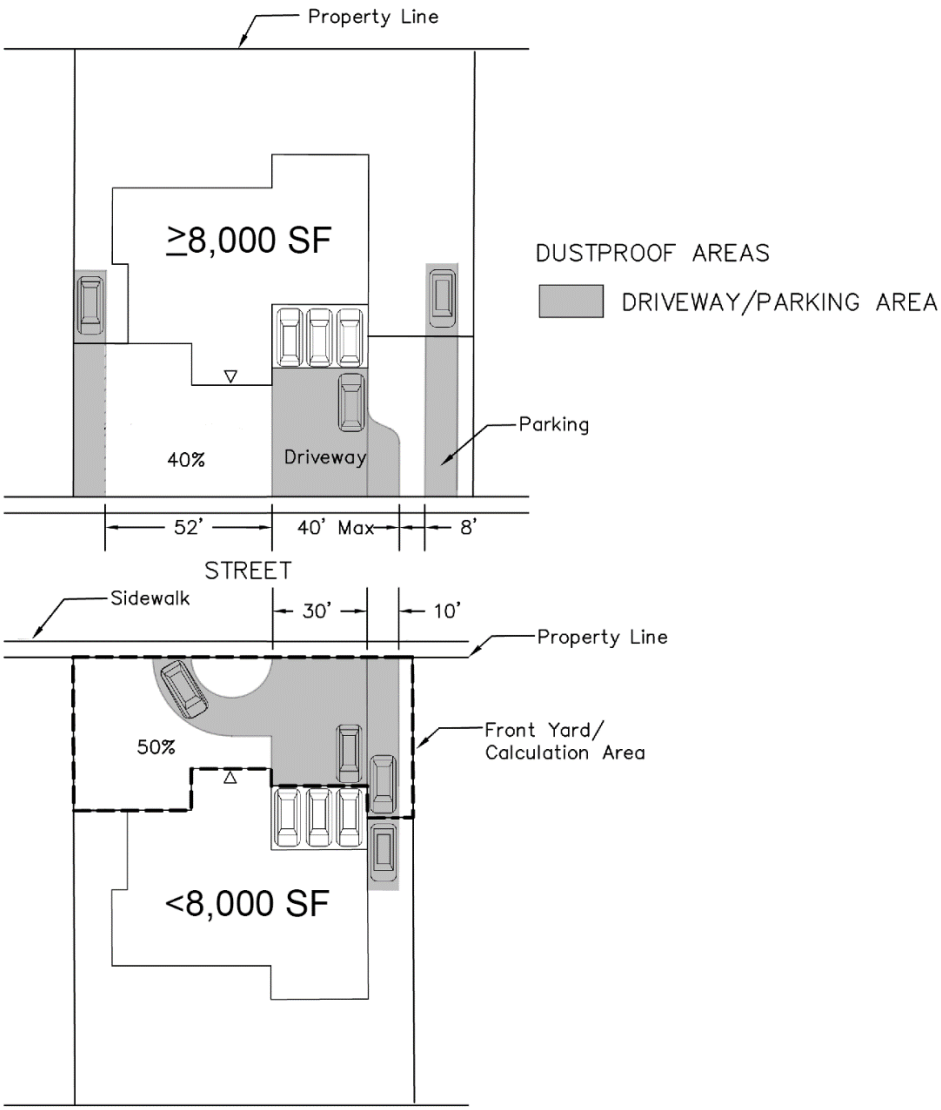
b. constructed prior to the adoption of this section of the Glendale Municipal Code and in compliance with the zoning code in effect at the time of construction, or

c. constructed in accordance with a permit or zoning clearance letter issued by the City of Glendale Planning Department

2. The circular driveways and similar circulation areas are in compliance with Section 24-68 of the Glendale Municipal Code.

F. For regulations regarding vehicle parking or storage on residentials lots, See Chapter 24 Motor Vehicles and Traffic, Section 24-68 Parking on Residential Lots.

Fig 4.1 Residential Parking



35.4.007 Professional Office District Parking

A. Residential Office (RO) District

1. Access to parking for all nonresidential uses shall be provided from arterial or collector street.
2. No parking space shall be located closer than ten (10) feet to a side or rear property line.

3. No vehicle maneuvering or parking area shall be in the front yard of the development except for ingress and egress to allowable parking areas.

B. General Office (GO) District

1. Access to parking shall be from arterial or collector street.

35.4.008 PR District Off-Street Parking

A. The parking requirements of the Pedestrian Retail (PR) district differ from those in other areas of the city. The parking requirements for new uses shall be determined by the Development Services Director Transportation Director, or designee, in conjunction with the design review process prescribed in Section 35.6.212. Review and findings shall be based on existing on-street parking, parking for existing uses, and other available parking in the district.

B. Off-Street Parking Facilities.

1. All required off-street parking spaces shall be located on the same lot or a contiguous lot or lots under the same ownership as the building or use for which the parking is accessory. Parking spaces shall be located in the rear of structures to avoid visibility from public streets, and should be accessed, when possible, from alleys.

2. Except where provided by the City or an improvement district, required parking on a site separate from the use served shall meet one (1) of the following conditions:

   a. Same ownership. A legal instrument satisfactory to the City Attorney shall be recorded requiring maintenance of the required number of spaces on the site.

   b. Leasehold. The minimum lease term shall be five (5) years. A legal instrument satisfactory to the City Attorney shall be recorded requiring cessation of a use served if access to the leased parking is terminated without substitution of parking meeting the requirements of this section.

3. Except where provided by the City or an improvement district, required parking spaces for customers shall be within two hundred (200) feet and for employees within four hundred (400) feet of the entrance of the served use via the shortest public pedestrian route.

C. Bicycle Parking.

1. Bicycle parking facilities may be substituted for automobile parking spaces at a ratio of eight (8) bicycle parking spaces for one (1) required vehicle parking space, up to a maximum of two (2) percent of the vehicle spaces required.

2. Bicycle parking facilities shall include provision for locking of bicycles, either in lockers or in secure racks in which the bicycle frame and wheels may be locked by the user. Bicycle spaces shall be at least as convenient as the most convenient automobile spaces and shall be protected from damage by automobiles.

D. Parking Structures.

1. Parking garages may be above the ground floor, provided the parking garage is architecturally concealed and enclosed. Parking garages shall apply decorative treatments to upper-level facades, panels, and railings. The overall architectural

design of parking facilities shall be the same as buildings with occupied floor space. The following considerations shall be included in the parking garage design:

a. Exterior facades of all parking garages fronting on public streets shall be designed as to achieve an architectural unity with adjacent buildings and other buildings in the vicinity of the garage.

b. Provide adequate screening of vehicles from the street view. Open metal railings or panels which do not adequately screen the vehicles from view shall be avoided;

c. Incorporate stepped-back design of upper floors if above the street wall level;

d. Provide landscape planters to soften the visual impact.

2. Ground floor retail may be provided, subject to Zoning District requirements, along garage frontage on public streets, Ground level landscaping is required when it is not in conflict with retail entry and windows.

35.4.009 Joint Use Parking

A. Parking spaces required under this Section may be provided cooperatively for multiple uses within a consolidated development or for multiple unrelated individual uses, subject to the following requirements:

1. Joint use parking arrangements shall only be allowed for nonresidential uses with different hours of operation or different peak business periods;

2. Up to fifty percent (50%) of the parking spaces required by this Section may be supplied by the off-street parking facilities of uses with opposite hours of operation. For example, a place of worship with primarily weekend hours may, with written and recorded permission, use the parking facilities of a nearby business office park to satisfy up to 50% of the uses required parking. Requests for such an accommodation shall be submitted in writing to the Development Services Director or designee for review at the time of Design Review or Building Permit Review, whichever is applicable or occurs first;

3. The use for which a request is being made to implement the joint use parking allowance shall be located within three hundred (300) feet of the joint use parking facilities. A safe and direct pedestrian pathway must be provided from the parking area to the primary building entrance. These pathways must be ADA compliant, shall not require crossing arterial classified streets, and either be completely separated from vehicular traffic or clearly designated, such as an attached or detached paved sidewalk;

4. The applicant shall document the operating hours of all involved uses and document that no substantial peak parking demand conflict exists to ensure the long-term success of the joint use parking agreement;

5. A properly drawn legal instrument, executed by the parties concerned for joint use off-street parking facilities, approved by the City Attorney shall be filed with the City Clerk and recorded with the County Recorder.

35.4.010 Off-Site Parking

A. Off-site parking on a separate lot from the lot on which the principal use is located may be used to satisfy the parking requirements of this Section provided adherence to the following criteria is maintained:

1. Off-site parking shall be developed and maintained in compliance with this Section;
2. The site used for off-site parking shall be under the same ownership as the principal use being served, under public ownership and authorized by the City for use, or shall have guaranteed permanent use by way of a perpetual lease filed with the City Clerk and County Recorder;
3. Reasonable and lawful vehicular and pedestrian access from off-site parking facilities to the use being served shall be guaranteed. A safe and direct pedestrian pathway must be provided from the parking area to the primary building entrance. These pathways must be ADA compliant, shall not require crossing arterial classified streets (except within the Centerline Overlay District), and either be completely separated from vehicular traffic or clearly designated, such as an attached or detached paved sidewalk.
4. Off-site parking for multiple-family dwellings shall not be located more than two hundred (200) feet from the nearest point of a parking area to a commonly used site access of the use being served.
5. Off-site parking for non-residential uses shall not be located more than three hundred (300) feet from the nearest point of a parking area to a commonly used access of the use being served.

35.4.011 Bicycle Parking

A. All non-residential uses over 5,000 square feet gross floor area shall provide one bicycle space per 25 vehicle parking spaces, with a maximum of 25 bicycle spaces.

B. Bicycle parking may be provided through designated spaces or bicycle storage racks. Racks and other similar fixtures must be securely affixed to the ground and allow for the bicycle to be secured in place. The design and placement of bicycle racks and fixtures shall be included on site all site plans and construction documents to be reviewed and approved by the City.

C. To the extent feasible, bicycle racks shall be complementary to the architectural theme of the primary building or center.

D. Where bicycle spaces are required by this article, the spaces may be indoors or outdoors and shall be located within 50 feet of the primary entrance and shall not interfere with vehicular or pedestrian circulation.

E. Development that accommodates long-term bicycle parking, for more than four hours, shall be designed to provide secure bicycle storage options (i.e. bike lockers, bike cages, etc.) for residents and employees.

35.4.012 Loading and Unloading General Provisions

A. Material Loading Areas: Accommodations for loading and unloading are required for all non-residential uses and are subject to the following criteria:

1. Required material loading spaces shall not be part of the spaces used to satisfy off-street parking requirements specified in Table 4.000-2.
2. Loading shall be restricted to the hours of 6:00 a.m. to 9:00 p.m. when located within two hundred (200) feet of any residential use.
3. Off-street truck loading areas shall be located on the same lot on which the building for which they are servicing is located, unless they are under a cooperative arrangement, in which case they may be located on another parcel not more than two hundred (200) feet from the structure for which they are provided.
4. Material loading areas shall be located within rear or side yards only. Loading areas shall be screened from adjacent residential uses and from public view.
5. Loading areas shall be properly graded for drainage, surfaced with concrete or asphalt, and maintained in good condition free of weeds and debris.
6. Lighting facilities shall be placed in such a manner that they neither unreasonably disturb occupants of adjacent residential properties nor interfere with traffic.
7. Loading areas shall be served by entrances and exits so located as to minimize traffic congestion. Such areas shall be accessible from a street, alley or drive aisle connecting with a street or alley, but in no case shall access be shared by residential uses.
8. Required loading space dimensions shall be determined based upon the size of delivery vehicles serving the site. Minimum sizes are as follows:

    a. Standard freight loading spaces shall be at least sixty-five (65) feet in length and at least twelve (12) feet in width with not less than fifteen (15) feet in vertical clearance, exclusive of drive aisle or similar maneuvering areas.

    b. Single-unit trucks serving general retail, office uses, and other similar uses associated with incidental loading and unloading needs, alternative loading spaces shall be at least thirty (30) feet in length and at least ten (10) feet in width with not less than fourteen (14) feet in vertical clearance, exclusive of drive aisle or similar maneuvering areas.

9. The minimum number of material loading spaces shall be provided as follows:

Table 4.000-3 Material Loading Spaces

Gross Floor Area (Aggregate)	Minimum Number of Loading Spaces
5,000 to 30,000	1
30,001 to 80,000	2
80,001 to 140,000	3
140,001 to 200,000	4
200,001 to 300,000	5
Over 300,000	5 + 1 additional loading space for each additional 90,000 square feet

10. Exceptions

    a. The provisions of this subsubsection shall not apply to uses located in the PR zoning district.

b. Exceptions may be granted when a traffic or parking study demonstrates the need for lower loading requirements.

B. Passenger Loading Areas: A passenger loading space is the area a vehicle occupies while loading or unloading passengers.

1. The number of spaces needed to satisfy off-street parking requirements specified in Table 4.000-2 may be reduced by five (5) percent for each passenger loading zone space provided in accordance with Table 4.000-4 up to a maximum of twenty (20) percent.

Table 4.000-4 Passenger Loading Spaces

Use Category	Number of Loading Spaces/ Gross Floor Area (Aggregate)
General Commercial Use Category	1 loading space per 50,000 GFA
Office Uses	1 loading space per 100,000 GFA
Industrial Use Category	1 loading space per 200,000 GFA
Public/Semi-Public Use Category	1 loading space per 50,000 GFA
Multiple Residence Uses	1 loading space per 150 units

2. Passenger loading spaces exceeding the number of spaces identified herein shall not be eligible for a ten (10) percent parking reduction.

3. To ensure any parking reductions will not result in a shortage of parking spaces needed to support the principal use, the Development Services Director or designee may require the applicant to submit a Parking Justification Study or other information, at the applicant's cost.

4. Vehicular ingress and egress to and from passenger loading spaces shall be by forward motion and consist of a vehicle turnout area so as to not interfere with the circulation of vehicles, pedestrians or bicycles within parking areas.

5. Passenger loading spaces shall be located within fifty (50) feet of the primary entrance to a stand-alone use. In multiple use developments, a centralized passenger loading area may be used that is greater than fifty (50) feet from the primary entrance to a single tenant, provided the area serves multiple tenants and maintains safe pedestrian access to all tenants of the development.

6. A passenger loading space shall be a minimum of 12 feet in width and 25 feet in length and shall comply with accessibility requirements.

35.4.013 Drive-Through Requirements

A. Notwithstanding any other provision of this section, additional vehicle storage spaces shall be provided for all uses having vehicle pick-up windows as follows:

1. A drive-through lane with a minimum of two hundred and forty (240) linear feet for queuing, measured from drive-through entrance to the point of service, shall be provided for all drive-through uses except pharmacies and financial institutions shall provide a minimum of eighty (80) feet of queuing per drive-through lane, measured from drive-through entrance to point of service. A combined total of at least four (4) stacking spaces from the drive through entry to the first stop (i.e. menu/order board) shall be provided in one (1) or more drive-through lanes and a combined total of at least eight (8) stacking spaces from the menu board to the point of service (i.e. pick-up window) shall be provided. Where warranted, the Transportation Director may require a queuing memorandum or study be prepared to establish the required drive-through queuing length.

2. Drive-through queuing shall not encroach upon or block driveways or parking spaces.
3. Drive through lanes shall also be required to adhere to Section 35.3.103.N of this Code.

35.4.100 LANDSCAPING

35.4.101 Purpose

The purpose of this section is to provide standards and requirements for the installation of landscaping for all new and expanded development within the City in order to promote the general welfare of the community; to effectuate attractive and logical development; to aid in the enhancement of property values; to create an attractive appearance along City streets; to compliment the visual effect of buildings; to provide appropriate buffers between incompatible land uses and protection from intense activities; and to aid in conserving water by encouraging the use of varieties of plants, trees and shrubs indigenous to arid regions which are characterized by low-water consumption and drought tolerant. The standards and regulations of this chapter shall be held to be the minimum requirements necessary for the promotion of the foregoing objectives of this chapter. In those instances where the minimum standards and requirements are not sufficient to achieve the purpose and objectives of this chapter, the director may impose such other reasonable requirements as may be deemed appropriate.

The intent of this Section is to mitigate the negative effects of an area affected by development and to improve the human environment. These effects often include increases in air and surface temperatures, wildlife displacement, and accelerated erosion and sedimentation due to stormwater runoff. Additionally, landscaping provides benefits by providing shade in an otherwise harsh desert climate, but also by offering visual relief by contrasting the built environment with the natural environment.

The regulations found in this Section were adopted to accomplish the following:

1. To provide a buffer between land uses of differing character and intensity;
2. To enhance the appearance of the City;
3. To protect the character and stability of residential and non-residential areas;
4. To contribute to the preservation of property values; and,
5. To conserve energy and resources through proper landscape design and placement.
6. To improve the human environment by providing shade and relief from the sun.

35.4.102 Applicability

The provisions of this chapter shall apply to all new development or construction, all exterior building remodeling, alterations, additions, or expansions and their accessories, as well as to all changes of occupancy in the use or development of land which requires the approval of a development site plan or subdivision plat by the City. Agricultural uses and single-family and two-family residences and their accessories shall be exempt from the requirements of this chapter, unless otherwise stated herein.

35.4.103 General Landscaping Standards

A. Landscape areas. All portions of the subject property that are not occupied by buildings, parking areas, pedestrian or vehicular accessways, or storage shall be landscaped in accordance with this Section. Future building pads within a phased development shall be treated for dustproofing and maintained weed and dust free until such time as development occurs.

B. Single Residence Landscaping. The front yard of residential development in the SR and R-1 zoning districts shall be landscaped with vegetation and/or landscape topping material.

C. Street Right-of-Way Landscaping. The landscaping of all street rights-of-way contiguous with a proposed development site not used for street pavement, curbs, gutters, sidewalks, or driveways shall be required in addition to the on-site landscaped areas required herein.

D. Landscape area along street frontage. Landscaped areas along street frontages shall be contoured or bermed to provide variations in grade, visual relief, parking lot screening, and a more pleasing aesthetic value.

E. Screening of parking areas. All on-site parking areas shall be screened from street view by a landscaped berm or decorative wall not less than four (4) feet in height. The required height of the berm or wall shall be measured from the highest finished grade of the adjacent on-site parking area or adjacent finished grade of the street, whichever is greater.

F. Use of Landscape Areas. No part of any landscape area shall be used for any other use such as parking or event space; except for required on-site retention areas, sign placement or when such use is shown on the approved final landscape plan.

G. Landscape topping material. All landscaped areas shall be finished with a natural topping material which may include, but is not limited to, the following: vegetative ground cover, decomposed granite or similar gravel material, river rock, bark, or organic compost (to be replenished annually).

H. Pre-emergent application. A pre-emergent herbicide shall be applied to the ground prior to and after the placement of natural surface materials (decomposed granite, river run rock, etc.) in any landscaped area to prevent weed growth.

I. Encroachment of vegetation within right-of-way. It is unlawful for any owner or occupier of property to permit any tree, shrub, hedge or other plant located on the property, or installed on the property, to interfere with the function of any traffic sign, signal or lighting, or the flow of drainage water on any street, roadway, easement or other public right-of-way, or the passage of traffic, pedestrian or vehicular, on any street, sidewalk, roadway or other public right-of-way.

J. Height of hedges, shrubs, etc., at intersections. Within thirty (30) feet of the corner of any lot, which corner is at the point of intersection of two (2) or more streets, all hedges, shrubs or other plants, except trees, shall be cut and trimmed to no more than thirty (30) inches in height from the level of the adjacent street and thereafter shall not be allowed to grow above such height.

K. Trees at intersections to be trimmed. Within thirty (30) feet of the corner of any lot, which corner is at the point of intersection two (2) or more streets, all trees shall be trimmed and

kept trimmed so that there shall be no limbs, leaves, needles or other foliage above thirty (30) inches or below eighty-four (84) inches from the level of the nearest adjacent street.

L. Certain trees prohibited at intersections. Within thirty (30) feet of the corner of any lot, which corner is at the point of intersection of two (2) or more streets, trees shall not be planted, or trees heretofore planted shall, not be allowed to remain, which are so numerous or so close together that the trunks thereof obstruct more than twenty (20) percent of the view of operators of vehicles on an adjacent street over the area to the crossing street.

M. Limitation on location of plants. It is unlawful for the owner or occupier of property to permit any tree, shrub, hedge, or other plant to grow within two (2) feet of the face of any curb or within one (1) foot of any sidewalk located on public right-of-way, except that tree canopies over eighty-four (84) inches in height and plants under one (1) foot in height are exempted from this provision.

N. Application to Open Space requirements. All landscaped areas, except landscape islands located internal to a parking area may be used to satisfy the on-site open space requirement set forth in Article 2.

35.4.104 Landscape Area and Planting Requirements

The following requirements shall be considered the baseline criteria for the placement of landscape areas and planting for all applicable conditions as specified per zoning districts, unless otherwise stated herein.

Table 4.100-1 Single-Residence, Rural/Suburban Residence, and Agricultural Districts*	
Landscape Areas	**Building Base (For Permitted Non-Residential Uses):** An average 5-foot-wide landscape area shall be required between the principal building and nearest parking area and/or drive aisle for 50% of the principal building front elevation and 25% of each side elevation. Rear elevations are exempt from this requirement. **Use Buffer (For Permitted Non-Residential Uses):** A minimum fifteen (15) foot wide landscape buffer shall be required along property lines of permitted non-residential uses when contiguous with, or separated by an alley, from any residential development (except multi-family, live/work, for rent community, or mixed-use residential) or undeveloped parcel in a residential zoning district. This buffer shall be increased to twenty-five (25) feet where any loading docks and service drives abut residential zoning districts. **Street Frontage (For Permitted Non-Residential Uses):** A landscape area along the street frontage of any building, on-site parking area or outdoor storage area and the nearest point of the existing or future required street/sidewalk improvements (the back of an existing sidewalk, the line equal to the back of a future required sidewalk, or the back of the street curb where no sidewalk is required) shall be required as follows: *Arterial Roads* – Minimum twenty (20) foot wide* *Collector Roads* – Minimum fifteen (15) foot wide* *Local Streets* – Minimum ten (10) foot wide*

	*For reverse street frontage the landscape widths shall be in accordance with adopted street cross-section designs. **Parking Areas:** A minimum of 1 landscape island every ten (10) spaces shall be required; each island shall be no less than 8 feet wide (inside, curb-to-curb dimension) for the length of the adjacent parking space(s). A minimum of 1 landscape median for every two hundred (200) parking spaces shall be required. Landscape medians shall extend the length of the parking area and shall be a minimum eight (8) feet wide (inside, curb-to-curb dimension) and provide one, ADA compliant pedestrian sidewalk or crossing that leads to the principal building entrance or on-site primary pedestrian circulation system.
Planting Specifications	**All landscape areas:** • A minimum of one tree and five shrubs (or groundcover subject to Table 4.100-5) per 400 square feet of landscape area. • No trees shall be permitted within a Public Utility Easement (PUE) **Use Buffers:** • A minimum of one screening tree per 25 linear feet of required buffer area **Street Frontage:** • A minimum of one tree and five shrubs (or groundcover subject to Table 4.100-5) per 30 linear feet of street frontage. • This minimum quantity of trees, shrubs, and vegetative groundcover shall be located in the street right-of-way landscaped area. Trees shall not be placed between the curb/gutter and a detached sidewalk. • Within the street right-of-way, no trees are to be planted within 25’ of a street light pole. • Trees and shrubs may be clustered to improve visibility of signage and store fronts and should be placed in a manner that provides shade for pedestrians. • Reverse street frontage. All developments that back or side onto a street and which have a six-foot screening wall constructed on the property line shall install within the street right-of-way contiguous with the property one tree and three shrubs for every thirty (30) feet of such reverse street frontage. • Groundcover placed within sight visibility triangle areas should adhere to the “Drought Tolerant Groundcover Selection For COG ROW Sight Triangle Areas”. **Parking Areas:** • A minimum of one tree and two shrubs per single landscape island • A minimum of two trees and four shrubs per double landscape island • A minimum of one tree and three shrubs per 30 linear feet of landscape median.
Table 4.100-2 Multiple Residence Districts	
Landscape Areas	**Building Base:** An average 5-foot-wide landscape area shall be required between the building and nearest parking area and/or drive aisle for 70% of the building front elevation and 50% of each side elevation. Rear elevations for permitted non-residential uses are exempt from this requirement.

	Use Buffer: A minimum fifteen (15) foot wide landscape buffer shall be required along property lines of permitted multi-family, live/work, for rent community, mixed-use residential and non-residential uses when contiguous with, or separated by an alley, from any residential development (except multi-family, live/work, for rent community, mixed-use residential) or undeveloped parcel in a residential zoning district. This buffer shall be increased to twenty-five (25) feet where any loading docks and service drives abut residential zoning districts. **Street Frontage:** A landscape area along the street frontage of any building, on-site parking area or outdoor storage area and the nearest point of the existing or future required street/sidewalk improvements (the back of an existing sidewalk, the line equal to the back of a future required sidewalk, or the back of the street curb where no sidewalk is required) shall be required as follows: Arterial Roads – Minimum twenty (20) foot wide* Collector Roads – Minimum fifteen (15) foot wide* Local Streets – Minimum ten (10) foot wide* *For reverse street frontage the landscape widths shall be in accordance with adopted street cross-section designs. **Parking Areas:** A minimum of 1 landscape island every ten (10) spaces shall be required; each island shall be no less than 8 feet wide (inside, curb-to-curb dimension) for the length of the adjacent parking space(s). A minimum of 1 landscape median for every two hundred (200) parking spaces shall be required. Landscape medians shall extend the length of the parking area and shall be a minimum eight (8) feet wide (inside, curb-to-curb dimension) and provide one, ADA compliant pedestrian sidewalk or crossing that leads to the principal building entrance or on-site primary pedestrian circulation system.
Planting Specifications	**All landscape areas:** • A minimum of one tree and five shrubs (or groundcover subject to Table 4.100-5) per 400 square feet of landscape area. • No trees shall be permitted within a Public Utility Easement (PUE) **Use Buffers:** • A minimum of one screening tree per 25 linear feet of required buffer area **Street Frontage:** • A minimum of one tree and five shrubs (or groundcover subject to Table 4.100-5) per 30 linear feet of street frontage. • This minimum quantity of trees, shrubs, and vegetative groundcover shall be located in the street right-of-way landscaped area. Trees shall not be placed between the curb/gutter and a detached sidewalk. • Within the street right-of-way, no trees are to be planted within 25’ of a street light pole. • Trees and shrubs may be clustered to improve visibility of signage and store fronts and should be placed in a manner that provides shade for pedestrians.

	• Reverse street frontage. All developments that back or side onto a street and which have a six-foot screening wall constructed on the property line shall install within the street right-of-way contiguous with the property one tree and three shrubs for every thirty (30) feet of such reverse street frontage. • Groundcover placed within sight visibility triangle areas should adhere to the "Drought Tolerant Groundcover Selection For COG ROW Sight Triangle Areas". **Parking Areas:** • A minimum of one tree and two shrubs per single landscape island • A minimum of two trees and four shrubs per double landscape island • A minimum of one tree and three shrubs per 30 linear feet of landscape median

Table 4.100-3 Commercial and Professional Office Districts	
Landscape Areas	**Building Base (For Permitted Non-Residential Uses):** An average 5-foot-wide landscape area shall be required between the principal building and nearest parking area and/or drive aisle for 50% of the principal building front elevation and 25% of each side elevation. Rear elevations are exempt from this requirement. **Street Frontage:** A landscape area along the street frontage of any building, on-site parking area or outdoor storage area and the nearest point of the existing or future required street/sidewalk improvements (the back of an existing sidewalk, the line equal to the back of a future required sidewalk, or the back of the street curb where no sidewalk is required) shall be required as follows: Arterial Roads – Minimum twenty (20) foot wide* Collector Roads – Minimum fifteen (15) foot wide* Local Streets – Minimum ten (10) foot wide* *For reverse street frontage the landscape widths shall be in accordance with adopted street cross-section designs. **Use Buffer:** A minimum fifteen (15) foot wide landscape buffer shall be required along property lines of permitted live/work, mixed-use residential and non-residential uses when contiguous with, or separated by an alley, from any residential development (except multi-family, live/work, for rent community, mixed-use residential) or undeveloped parcel in a residential zoning district. This buffer shall be increased to twenty-five (25) feet where any loading docks and service drives abut residential zoning districts. **Parking Area:** A minimum of 1 landscape island every 10 spaces shall be required; each island shall be no less than 8 feet wide (inside, curb-to-curb dimension) for the length of the adjacent parking space(s) A minimum of 1 landscape median for every two hundred (200) parking spaces shall be required. Landscape medians shall extend the length of the parking area and shall be a

	minimum eight (8) feet wide (inside, curb-to-curb dimension) and provide one, ADA compliant pedestrian sidewalk or crossing that leads to the principal building entrance or on-site primary pedestrian circulation system.
Planting Specifications	**All landscape areas:** • A minimum of one tree and five shrubs (or groundcover subject to Table 4.100-5) per 400 square feet of landscape area. • No trees shall be permitted within a Public Utility Easement (PUE) **Use Buffers:** • A minimum of one screening tree per 25 linear feet of required buffer area **Street Frontage:** • A minimum of one tree and five shrubs (or groundcover subject to Table 4.100-5) per 30 linear feet of street frontage. • This minimum quantity of trees, shrubs, and vegetative groundcover shall be located in the street right-of-way landscaped area. Trees shall not be placed between the curb/gutter and a detached sidewalk. • Within the street right-of-way, no trees are to be planted within 25' of a street light pole. • Trees and shrubs may be clustered to improve visibility of signage and store fronts and should be placed in a manner that provides shade for pedestrians. • Reverse street frontage. All developments that back or side onto a street and which have a six-foot screening wall constructed on the property line shall install within the street right-of-way contiguous with the property one tree and three shrubs for every thirty (30) feet of such reverse street frontage. • Groundcover placed within sight visibility triangle areas should adhere to the "Drought Tolerant Groundcover Selection For COG ROW Sight Triangle Areas". **Parking Areas:** • A minimum of one tree and two shrubs per single landscape island • A minimum of two trees and four shrubs per double landscape island • A minimum of one tree and three shrubs per 30 linear feet of landscape median

Table 4.100-4 Business/Industrial Districts	
Landscape Areas	**Building Base (For Permitted Non-Residential Uses):** An average 5-foot-wide landscape area shall be required between the principal building and nearest parking area and/or drive aisle for 50% of the principal building front elevation and 25% of each side elevation. Rear elevations are exempt from this requirement. **Street Frontage:** A landscape area along the street frontage of any building, on-site parking area or outdoor storage area and the nearest point of the existing or future required street/sidewalk improvements (the back of an existing sidewalk, the line equal to the back of a future required sidewalk, or the back of the street curb where no sidewalk is required) shall be required as follows: Arterial Roads – Minimum twenty (20) foot wide* Collector Roads – Minimum fifteen (15) foot wide*

	Local Streets – Minimum ten (10) foot wide* *For reverse street frontage the landscape widths shall be in accordance with adopted street cross-section designs. **Use Buffer:** A minimum fifteen (15) foot wide landscape buffer shall be required along property lines of permitted non-residential uses when contiguous with, or separated by an alley, from any residential development (except multi-family, live/work, for rent community, mixed-use residential) or undeveloped parcel in a residential zoning district. This buffer shall be increased to twenty-five (25) feet where any loading docks and service drives abut residential zoning districts. **Parking area:** A minimum of 1 landscape island every 10 spaces shall be required; each island shall be no less than 8 feet wide (inside, curb-to-curb dimension) for the length of the adjacent parking space(s) A minimum of 1 landscape median for every two hundred (200) parking spaces shall be required. Landscape medians shall extend the length of the parking area and shall be a minimum eight (8) feet wide (inside, curb-to-curb dimension) and provide one, ADA compliant pedestrian sidewalk or crossing that leads to the principal building entrance or on-site primary pedestrian circulation system.
Planting Specifications	**All landscape areas:** • A minimum of one tree and five shrubs (or groundcover subject to Table 4.100-5) per 600 square feet of landscape area. • No trees shall be permitted within a Public Utility Easement (PUE) **Use Buffers:** • A minimum of one screening tree per 25 linear feet of required buffer area **Street Frontage:** • A minimum of one tree and five shrubs (or groundcover subject to Table 4.100-5) per 30 linear feet of street frontage. • This minimum quantity of trees, shrubs, and vegetative groundcover shall be located in the street right-of-way landscaped area. Trees shall not be placed between the curb/gutter and a detached sidewalk. • Within the street right-of-way, no trees are to be planted within 25’ of a street light pole. • Trees and shrubs may be clustered to improve visibility of signage and store fronts and should be placed in a manner that provides shade for pedestrians. • Reverse street frontage. All developments that back or side onto a street and which have a six-foot screening wall constructed on the property line shall install within the street right-of-way contiguous with the property one tree and three shrubs for every thirty (30) feet of such reverse street frontage. • Groundcover placed within sight visibility triangle areas should adhere to the “Drought Tolerant Groundcover Selection for COG ROW Sight Triangle Areas”. **Parking Areas:** • A minimum of one tree and two shrubs per single landscape island • A minimum of two trees and four shrubs per double landscape island • A minimum of one tree and three shrubs per 30 linear feet of landscape median

Fig. 4.2 Street Landscaping

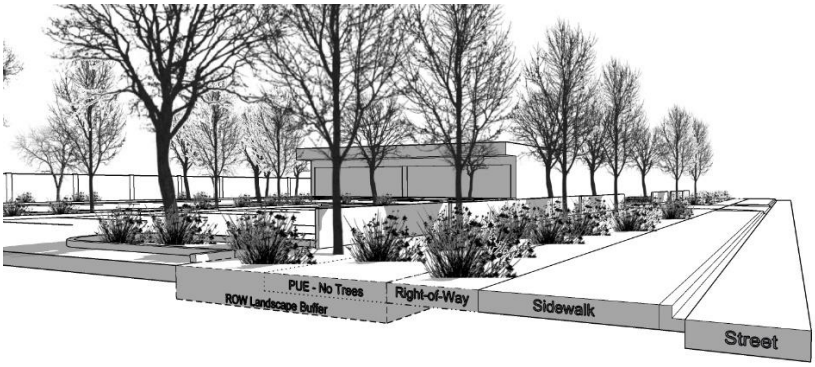


Fig. 4.3 Use Buffer Landscaping

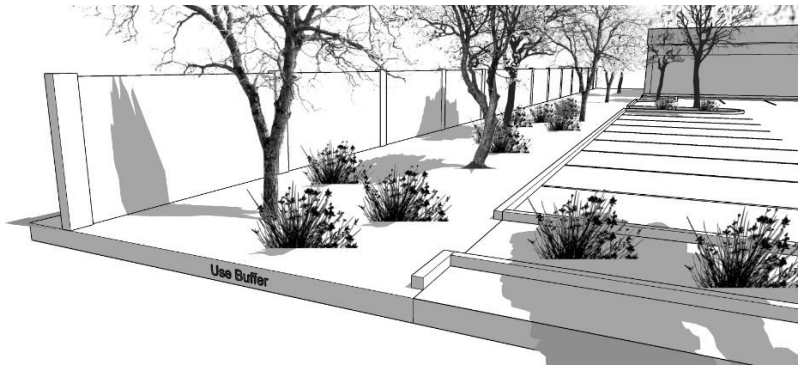


Fig 4.4 Parking Landscape Islands



35.4.105 Landscape Material Requirements

A. Plant materials must be included on the most recent edition of the Phoenix Active Management Area Low Water Using Plant List and shall be installed in accordance with the Arizona Nursery Association Container Grown Tree Guide, unless otherwise specified herein.

B. With the exception of synthetic turf, no artificial plant materials may be used to satisfy the requirements of this Section.

C. *Table 4.100-5 Landscape Materials* provides additional information regarding acceptable landscape palette materials.

Table 4.100-5 Landscape Materials	
Trees	Unless otherwise specified herein, all required trees shall be twenty-four (24) inch box or larger size. All shrubs shall be a minimum of five (5) gallon in size.. All twenty-four-inch box and larger trees shall be a minimum of ten (10) feet in height, six (6) feet in spread and two-inch trunk caliper at the ground level. Upon approval of the director, the installation of twenty (20) square feet of vegetative groundcover in any landscaped area shall substitute for one (1) required shrub, up to a maximum of thirty (30) percent of the required shrubs in any particular landscaped area. Thorny varieties are discouraged; however, when used, they should be located away from parking and pedestrian areas. A variance may be granted by the Transportation Director or their designee for the size requirements of trees to be utilized within the City right-of-ways with justification. All Mexican Fan Palms (Washington Robusta) and California Fan Palms (Washingtonia Filifera) shall have a minimum five-foot trunk height measured from the base of the trunk to the base of the fronds when located within the public right-of-way or within fifty (50) feet of the street property line.
Shrubs	5-gallon minimum Thorny varieties are encouraged to be located away from pedestrian, active recreation and parking areas.
Vegetative Groundcover	1-gallon minimum Upon approval of the Development Services Department, the installation of twenty (20) square feet of vegetative groundcover in any landscaped area shall substitute for one (1) required shrub, up to a maximum of thirty (30) percent of the required shrubs in any particular landscaped area.
Gravel	Minimum size: ¾-inch screened or any other size of gravel, decomposed granite (DG) or aggregate upon approval of the Development Services Department. Minimum depth: 2”
Water Intensive Landscaped Areas	The amount of water-intensive landscaped area in new non-residential facilities, other than schools, parks, cemeteries or golf courses shall be limited to no more than twenty percent (20%) of the landscaped area in excess of ten thousand (10,000) square feet for facilities other than hotels and motels, and to no more than twenty percent (20%) of the landscaped area in excess of twenty thousand (20,000) square feet for hotels and motels. This requirement is

	waived if the new non-residential facility applies water which is one hundred percent (100%) effluent to the landscaped area. All turf-related facilities that apply water from any source, including effluent, to a water-intensive landscaped area of ten (10) acres or more are subject to the water conservation requirements of the management plan in effect for the Phoenix Active Management Area administered by the Arizona Department of Water Resources. Natural turf shall be prohibited in the right-of-way. With Development Services approval, synthetic turf may be permitted as an accent material.
Xeriscape Option	Submitted under a registered Landscape Architect's seal, an alternative xeriscape landscape plan may be submitted for developments of 15 acres or greater. Such plans may provide alternative plant palettes, gravel types and sizes, and may substitute trees at a ratio of two 2" caliper trees for a 4" caliper tree, except in parking landscape islands or use buffer areas. Additionally, mature saguaro cacti may be substituted for trees at a ratio of two 2" caliper trees per saguaro. Similarly, ocotillos may be substituted for 5-gallon shrubs at a ratio of three shrubs per ocotillo; however, ocotillos shall not be located in parking or pedestrian areas. Such plans, including a xeriscape maintenance plan, shall be reviewed and approved administratively.

35.4.106 Urban Forestry

A. Findings.

Trees provide a benefit to the community by assisting in the abatement of particulates and other air pollutants, enhancing the visual image of the community and abating noise pollution.

(Ord. No. 1977, § 1, 12-9-97)

B. Purpose.

This article is intended to promote and protect the public health, safety and general welfare by providing guidelines for the protection, maintenance and management of tree resources within the City of Glendale.

(Ord. No. 1977, § 1, 12-9-97)

C. Administration.

This article shall be administered by the deputy city manager of public works with the assistance and advice of the city's interdepartmental urban forestry committee.

(Ord. No. 1977, § 1, 12-9-97)

D. Applicability.

This article provides authority for the maintenance of trees located within the rights-of-way, parks, and public places of the city, and trees located on private property which constitute a hazard or threat as described herein.

(Ord. No. 1977, § 1, 12-9-97)

E. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Administrator: The deputy city manager for public works of the City of Glendale.

Committee: The City of Glendale interdepartmental urban forestry committee which shall be comprised of city staff members appointed by the city manager.

Drought Tolerant Plant: Any plant species with the ability to maintain its biomass (cellular tissue) production during arid or drought conditions; the ability of a plant to have low water requirements.

Palm Tree: Any plant species belonging to the Family Arecaceae.

Park trees: Trees in public parks, or areas to which the public has free access as a park, and all other areas owned by the city other than right-of-way.

Perennial Plant: Any plant species with a lifespan of two years or greater.

Street trees: Trees on public lands lying within the rights-of-way of all streets, avenues, boulevards, roads or ways within the city.

Urban forestry plan: The City of Glendale community urban forestry plan adopted by the city council.

Waterwise: A practical landscaping practice by which plant selections are made for their arid and drought tolerant qualities.

Woody Plant: Any plant species that produces wood as its structural tissue and thus has a hard stem.

(Ord. No. 1977, § 1, 12-9-97)

F. Urban forestry plan.

The committee shall develop and submit to the administrator an urban forestry plan. The administrator shall forward the urban forestry plan to the city council for review and adoption by resolution. The urban forestry plan shall not conflict, or be inconsistent, with other ordinances of the city and shall contain the following:

1. International Society of Arboriculture specifications for street trees and park trees.
2. The type and kind of trees which may be planted within city rights-of-way and parks.
3. Requirements for the care, preservation, pruning, planting, replanting, removal or disposition of street trees and park trees.
4. Guidelines for the location and spacing of street trees and park trees.
5. A plan for fostering community support for the urban forestry plan and encourage good tree management on privately-owned property.

(Ord. No. 1977, § 1, 12-9-97)

G. Maintenance-Street trees and park trees.

The city shall have the right to plant, prune, replace and maintain all street trees and park trees as may be necessary to ensure public safety or to preserve or enhance the symmetry and beauty of public grounds. The administrator may remove or order to be removed, on

city-owned property, any tree or part thereof which is in an unsafe condition, or which is injurious to sewers, sidewalks, electric power lines, gas lines, water lines, or other public improvements, or is infected with any injurious insect, pest or disease.

(Ord. No. 1977, § 1, 12-9-97)

H. Planting, removing or cutting trees on public property.

1. No person shall plant, remove, cut above the ground, or disturb any tree within any city right-of-way, park or other public place without first obtaining a permit from the administrator. The person obtaining the permit shall abide by the standards set forth in this article.
2. All eligible live trees (regardless of type, condition, or age) that are impacted by any proposed construction/maintenance activities or development required improvements are covered under this section. A live tree is defined as a living growth form of any woody perennial plant, typically having a single stem or trunk growing to a considerable height and can bear lateral branches at some distance from the ground (several botanical plant families have species that fall into the category.)
3. All live trees with any caliper diameter or trunk height shall be considered eligible trees. Tree trunk caliper diameters are measured at 4.5 feet above the ground. Eligible trees will fall into one of five (5) categories according to the following size and replacement ratios:

    a. 1.*Unestablished Trees – Are defined as trees with a caliper diameter of less than 4-inches. Unestablished Trees shall be replaced on a 1:2 ratio.

    b. 2.*Mature Trees – Are defined as trees with a caliper diameter of at least 4-inches to less than 12-inches. Mature Trees shall be replaced on a 1:4 ratio.

    c. 3.*Legacy Trees – Are defined as trees with a caliper diameter of 12-inches or greater. Legacy Trees shall be replaced on a 1:8 ratio.

    d. 4.Immature Palm Trees – Are defined as having a trunk height measured from the base of the trunk to the base of the fronds of 5-feet or less. Immature Palm Trees shall be replaced on a 1:3 ratio.

    e. 5.Mature Palm Trees – Are defined as having a trunk height measured from the base of the trunk to the base of the fronds of greater than 5-feet. Mature Palm Trees shall be replaced on a 1:6 ratio.

    *These trees constitute non-palm tree species (the majority of trees along the City ROW.) Where an eligible tree has multiple trunks, only the largest caliper diameter (or tallest in the case of a palm tree) trunk will be considered.

4. The minimum replacement size shall be a 24-inch box container tree and shall be replaced on-site depending on existing site conditions or relocated to a location designated by the City. If planted on-site, these trees shall conform to G-1008 of the 2015 Engineering Standard Details.
5. Replaced trees selection should adhere to the “Tree Selection for City of Glendale ROW and Medians AND Tree Removal Policy Program”. This “preferred” and “acceptable” tree list consists of 29 species that grow well and are easily maintained within the City ROW and are of a drought tolerant/waterwise nature and as such are characterized by low-water consumption.

6. All surrounding irrigation lines and associated irrigation components; including other landscape features (such as shrubs, hardscape) that are impacted by the proposed development shall be restored by the impacting entity as required by the City and any associated costs shall be regarded as incidental to the project and adhere to current irrigation City standards.

7. Inspection and Acceptance:

   ROW staff will need to be informed a minimum of three weeks prior to any tree removal, disturbing any existing irrigation lines, or disturbing other landscape features. The trees to be removed shall be inspected by ROW staff and marked. Henceforth, only marked trees will be allowed to be removed. Replacement trees shall be provided to the City in hand prior to removal of marked trees marked for removal. Upon removing the marked trees, ROW staff shall be notified immediately to inspect the work site to ensure trees were removed properly and any disturbed irrigation lines are capped or restored etc.

I. Posting of signs, letters, reflectors or other items.

It shall be unlawful for any person to nail, or affix by stapling, gluing, or any other manner, any sign, letter, reflector, number or other item to, or on, any street tree or park tree within the city limits.

(Ord. No. 1977, § 1, 12-9-97)

J. Pruning of trees on private property.

Every owner of any tree overhanging any street or right-of-way within the city shall prune the branches so that such tree shall not obstruct the view of any street intersection or interfere with persons utilizing the sidewalk or street. Said owners shall remove all dead, diseased or dangerous trees or broken or decaying limbs which the administrator determines constitutes a hazard or danger to the safety of the public. If the owner fails to remove such trees or limbs within the time period provided in the notice by the city, or if an immediate hazard exists by virtue of such tree or limbs, the city shall have the right, at the expense of the property owner, to prune or remove any tree or shrub upon private property when it interferes with the proper spread of light along the street from a street light, interferes with the visibility of any traffic control device or sign, or otherwise poses a threat to the public safety as determined by the administrator. The costs of pruning or removing such hazardous tree or limbs from the public property or right-of-way shall be assessed against the property owner and shall constitute a lien on the property until paid.

(Ord. No. 1977, § 1, 12-9-97)

K. Penalties.

Any person found guilty of violating any provision of this article shall be guilty of a misdemeanor and, upon conviction, shall be punishable by a fine and/or imprisonment not to exceed the maximum set for class one misdemeanors by the Arizona Legislators in Title 13 of the Arizona Revised Statutes.

(Ord. No. 1977, § 1, 12-9-97)

L. Severability.

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

(Ord. No. 1977, § 1, 12-9-97)

35.4.107 Maintenance and City Acceptance

A. With respect to every lot, parcel, or tract of land within the City containing a use for which the provisions of this Section apply, every owner, lessee, homeowners' association, or any other person having the lawful right to possession and control of such premise shall:

1. Maintain all landscape materials and landscaped areas in accordance with the approved landscape plan, including right-of-way landscaping unless otherwise stated herein. Such landscaped areas shall be kept free of trash, debris, weeds, and dead plant material, and shall in all respects be maintained in a neat and clean fashion.
2. Replace all dead or removed plants with plants of the same variety, and in the size and quality as those removed.

B. The City may accept responsibility for the maintenance and operation of all landscaping and appurtenances installed in accordance with requirements for reverse street frontage landscaping or any landscaping and appurtenances installed within street rights-of-way, including but not limited to the following categories:

1. Arterial and/or secondary street rights-of-way adjacent to single-family residential areas that back onto the arterial and/or secondary street, and have a screening wall constructed on the rear property line.
2. Arterial street rights-of-way adjacent to single-family residential areas that side onto the arterial street, and which have a screening wall constructed on the side property line.
3. Bridle trails, bicycle paths and multi-use recreational facilities within City limits.
4. Median islands on arterial and secondary public streets within the City.
5. All alleys within City limits.
6. Street rights-of-way abutting municipal public facilities.
7. Street landscaping within districts specially approved or created by City Council.
8. Flood control facilities which have been accepted for operation and maintenance by the City.

C. Prior to the City accepting for maintenance any reverse street frontage landscaping or other street right-of-way landscaping described in the foregoing subparagraph (B), the following conditions shall have been satisfied:

1. The landscaping shall be inspected and approved by the City for compliance with the approved landscape plan.
2. The subsequent completion of a sixty-day maintenance period wherein the developer shall be responsible for all watering, weeding, and replacement of all dead or dying plant materials.
3. A final inspection called by the developer or his representative at the completion of the sixty-day maintenance period resulting in final approval and acceptance by the City.
4. The approved plat shall stipulate any accepted maintenance responsibilities.

D. Obstructions and Vegetative Screening

1. All landscaping materials near a driveway or street intersection shall be installed and maintained in accordance with the City's sight visibility triangle requirements. All landscaping materials in established parking areas shall be maintained to limit interference with vehicular and pedestrian circulation.

2. All plant materials shall be planted so that at maturity the edge of the plant will be no closer than three (3) feet to any fire hydrant or fire suppression device.

3. Protection of Landscaping from Vehicular Damage. Permanent barriers, such as curbing, shall be installed and properly secured to prevent the destruction of landscape materials by vehicles. All trees and shrubs shall be installed a minimum of two and one-half (2.5) feet from back of curb.

E. Irrigation.

1. All landscaped areas shall be supported by an automatic irrigation system. A backflow prevention device and protective cage shall be required as part of the irrigation systems. Irrigation systems shall be constructed and maintained to promote water conservation and shall prevent water overflow onto streets, sidewalks, or parking areas.

2. A separate water meter shall be installed for landscape irrigation systems placed in the right-of-way. Meters shall be installed within the right-of-way and maintained by the City. For developments in which the property owner is required to maintain landscaping located within the right-of-way, the associated irrigation system shall be isolated from the on-site irrigation system.

F. Parking landscape islands

1. No shrubs within a landscape island of an off-site parking area shall be maintained to a height in excess of three (3) feet, and all trees within such planters shall maintain a minimum clearance of five (5) feet from the lowest branch to the adjacent grade elevation.

G. Pruning of trees on private property.

1. Every owner of any tree overhanging any street or right-of-way within the City shall prune the branches so that such tree shall not obstruct the view of any street intersection or interfere with persons utilizing the sidewalk or street or interfere with City of Glendale maintenance. Said owners shall remove all dead, diseased or dangerous trees or broken or decaying limbs which the administrator determines constitutes a hazard or danger to the safety of the public. All tree trimmings shall be disposed of properly, discarding trimmed branches onto the right of way is prohibited. If the owner fails to remove such trees or limbs within the time period provided in the notice by the City, or if an immediate hazard exists by virtue of such tree or limbs, the City shall be authorized, at the expense of the property owner, to prune or remove any tree or shrub upon private property when it interferes with the proper spread of light along the street from a street light, interferes with the visibility of any traffic control device or sign, or otherwise poses a threat to the public safety as determined by the City. The costs of pruning and removing such hazardous tree or limbs from the public property or right-of-way shall be assessed against the property owner and shall constitute a lien on the property until paid.

2. Palm trees shall be properly and regularly maintained to help minimize pest populations and improve community appearance. Proper maintenance shall support the health of the tree and shall include the pruning and removal of dead palm fronds, seeds, and other similar debris.

H. Planting, removing or cutting trees on public property.

1. No person shall plant, remove, cut above the ground, or disturb any tree within any City right-of-way, park or other public place without first obtaining a permit from the City. The person obtaining the permit shall abide by the standards set forth in this Section.

2. The City shall have the right to plant, prune, replace and maintain all street trees and park trees as may be necessary to ensure public safety or to preserve or enhance the symmetry and beauty of public grounds. The zoning administrator may remove or order to be removed, on City-owned property, any tree or part thereof which is in an unsafe condition or which is injurious to sewers, sidewalks, electric power lines, gas lines, water lines, or other public improvements, or is infected with any injurious insect, pest or disease.

35.4.108 Exemptions

Due to the unique circumstances often associated with certain development types, the following uses shall be exempt or subject to the reduced landscape requirements as described herein.

A. Playground and sports facilities associated with schools or places of worship

B. Wireless Communication Facilities shall be exempt from landscaping requirements for areas located within any ground-mounted equipment enclosure. An 8-foot-wide perimeter landscaping tract, maintained by the owner or authorized designee and located outside of the enclosure, shall be provided and shall include one (1) non-invasive shrub or cacti for every 8 linear feet of tract. Thorny shrubs and cacti shall not be placed adjacent to pedestrian areas and walkways.

C. Public and Semi-Public Utilities shall be exempt from landscaping requirements for areas located within any equipment enclosure. An 8-foot-wide perimeter landscaping tract, maintained by the owner or authorized agent and located outside of the enclosure, shall be provided and shall include two (2) non-invasive shrubs or cacti for every 8 linear feet of tract. Thorny shrubs and cacti shall not be placed adjacent to pedestrian areas and walkways.

D. Covered Parking Canopies are encouraged, therefore, when implemented the affected parking areas shall be exempt from parking area tree requirements for landscape islands and medians. Shrub and groundcover requirements shall remain in effect.

35.4.109 Preliminary and Final Landscape Plans

A. General Requirements

1. A landscape plan consisting of a preliminary plan and a final plan shall be prepared, submitted, and approved for all applicable development projects in accordance with the procedures and requirements set forth in this Section.
2. All changes in landscape plans before, during, or after preliminary or final landscape plan approval shall be approved by the Development Services Director or designee prior to the installation of any such landscape change.
3. All changes in the landscaping of a site before, during or after final landscape plan approval and landscape installation shall be approved by the Development Services Director or designee as set forth in this article and as specified within the Glendale Engineering Design & Construction Standards.

B. Preliminary Landscape Plan

1. A preliminary landscape plan shall be submitted along with the required development Site Plan for review. The preliminary landscape plan may be shown on the development Site Plan drawings. The preliminary landscape plan shall be a conceptual plan and shall include the following information in generalized form:

   a. The location and identification of all proposed landscape area (on-site, street right-of-way, parking area, use buffers, etc.)

b. Preliminary data pertaining to the amount of gross and net site area, the ground floor areas of all proposed industrial buildings, the number of required and proposed parking spaces, and the amount of all required and proposed landscaped areas.

c. The approximate location of all proposed trees, shrubs, and other landscape materials.

d. Notes or graphical representations adequately showing the intent of the proposed plans and materials and indicating how those plans will comply with this Section.

e. The location, height, type, and general design and finish of all proposed screening walls.

f. The location of all proposed stormwater retention areas.

C. Submittals shall be made in accordance with the development Design Review process guide and application checklist provided by the Development Services Department.

D. The preliminary landscape plan shall be reviewed and approved by the Development Services Director or designee as part of the development Site Plan review and by the Transportation Director or designee for plantings within the right-of-way, and may be approved with stipulated changes or additions.

E. Final Landscape Plan

1. A final landscape plan shall be submitted along with all other required site improvement and building plans at the time of application for a building permit. The final landscape plan shall contain the final calculations, data, and specific details and information of all proposed landscaped areas, landscape materials, screening walls, irrigation system, and other items that were required and identified in conceptual form on the preliminary landscape plan. The final landscape plan shall contain a specific schedule of all trees and shrubs identified by common and botanical name, and shall clearly indicate the quantity and size of each tree and shrub to be installed.
2. The final landscape plan shall be sealed by a registered Arizona Architect, Civil Engineer, or Landscape Architect, except for single residence lots or where specifically restricted herein.
3. The final landscape plan shall be in conformance with the approved preliminary plan and any stipulated changes or additions and shall be approved by the Development Services Director or designee and the Transportation Director or designee for plantings within the right-of-way prior to the issuance of a building permit.
4. The final landscape plan shall clearly stipulate maintenance responsibilities.

F. Final Landscape Inspection

1. All landscaping shall be subject to inspection to verify adherence to the approved Final Landscape Plan. It shall be the responsibility of the applicant or authorized designee to request a visual inspection and provide, in writing, certification that all landscape materials and irrigation have been accounted for and installed per plan. Such certification shall be sealed by an Arizona registered Landscape Architect, Architect, or Civil Engineer. Final approval and/or Certificate of Occupancy shall not be issued until all inspections have been completed and the project approved unless specifically authorized by the Development Services Director or designee.
2. The city shall have the right to refuse to pass any project not meeting the provisions of this chapter. The city shall also have the right to reject landscape materials as being

substandard as to size, condition or appearance including a pre-inspection of materials at the supplier if deemed necessary.

35.4.110 Compliance and Enforcement

A. Installation, General.

1. All landscape improvements (landscape materials, irrigation system, screening walls, et.) shall be installed by the developer on the site in accordance with the approved final landscape plan prior to the issuance of a certificate of occupancy for the building or use. When considered advisable, upon presentation of a cash bond, cash deposit, or assured letter of credit in an amount sufficient to guarantee installation of the landscaping and irrigation system, the director may approve a delay in the immediate installation of the required landscape improvements for a period of time not to exceed six (6) months. In those instances where the director approves a delay in the installation of the required landscape improvements, a temporary certificate of occupancy shall be issued for the building or use conditioned upon the satisfactory installation of the required landscape improvements within the time period approved by the director.

2. For multi-phased developments, all required right-of-way and use buffer landscaping shall be installed during the first phase of development unless specifically exempted herein or by the Development Services Director or designee during the rezoning process. Phased landscaping for large projects, such as master planned communities, shall be reviewed and approved on a case-by-case basis due to the differences in phasing and associated infrastructure expansion.

B. Enforcement, General.

1. This chapter shall be enforced by the director or his duly authorized representative. The director shall have the authority to enter upon the premises, or any part thereof, at any and all reasonable times, for the purposes of performing his official duties. It is unlawful to refuse the director entry upon such premises. When any condition which would constitute a violation of the provisions of this ordinance comes to the director's attention, he shall cause a notice thereof to be served upon the owner, lessee or other person in control of the premises. The notice shall specify the nature of the violation and shall order the responsible party to correct the violation within thirty (30) days.

C. Penalties

1. Any person in control of any premises who fails to correct a violation of this chapter within thirty (30) days after notice thereof by the director shall be liable to the city for a civil fine in the amount of one thousand dollars ($1,000.00) for each and every day beyond such thirty-day period for which the violation remains uncorrected. The city attorney shall collect such fines by complaint filed in the city court pursuant to the procedures prescribed in the city charter.

35.4.200 SCREENING, WALLS & FENCES

35.4.201 Intent

The intent of this Section is to establish practical standards for screening between dissimilar uses and methods for screening these uses and associated activities from adjacent properties and the public in general. Proper screening methods help manage use compatibility and community stability, which in turn, will support increased property values and improve the overall health and safety of the City's residents.

35.4.202 Applicability

A. When the following conditions are present, a permanent solid wall or gate shall be used to provide reasonable screening between dissimilar uses.

1. Single or Multiple Residence uses adjacent, or separated only by an alley, from non-residential uses
2. Single Residence uses adjacent, or separated only by an alley, from Multiple Residence uses
3. Multiple Residence, Commercial, or Industrial uses when adjacent, or separated only by an alley, from residential development or a undeveloped parcel in a residential zoning district. No such screen wall shall be required for multiple-family residential contiguous with other multiple-residence development or a multiple-residence zoning district.
4. Varying intensities of select non-residential uses located adjacent, or separated only by an alley, from each other (i.e. commercial retail adjacent to industrial uses)

B. When the following conditions are present, a permanent solid wall or gate shall be used to provide reasonable screening of site features or elements.

1. Off-street parking areas adjacent to public right-of-way
2. Residential or non-residential side and rear yards which are visible from public rights-of-way
3. On-site refuse and recycling containers
4. Permitted outdoor storage
5. Designated delivery and loading bays
6. Ground and roof-mounted mechanical equipment

35.4.203 Screening Exemptions

A. The following uses shall be exempt from perimeter screening requirements.

1. Public elementary and secondary and similar private educational facilities
2. Municipal and private parks and open space

35.4.204 General Screening Requirements

A. Screening between dissimilar uses shall consist of a solid wall located on the shared property line(s) and outside of any sight visibility triangles unless otherwise stated herein.

B. The preferred screening material shall be decorative masonry block; however, alternative materials may be considered through the Design Review process provided the proposed material is typically associated with, and intended for, wall construction. Materials shall be of high quality and integrated to the extent possible with the architectural theme of the development and/or surrounding area.

C. To break up the lineal expanse of required screening, design elements such as a staggered centerline, pilasters, integrated planters, varying wall heights, the installation of extra plant materials, or varying the landscaped area contours shall be used.

D. Walls exceeding six (6) feet in height, measured from the inside finished grade, shall require the submittal and approval of structural calculations prepared by a licensed structural engineer, unless specified otherwise in this Ordinance. Non-retaining concrete block walls shall adhere to the City adopted building codes.

E. For the purpose of this Section, any wall retaining a minimum of eighteen (18) inches of earth or soil shall be considered a retaining wall and shall be subject to review by the City Engineer or authorized agent. Terraced walls shall be required when retaining needs exceed four (4) feet in height. Terraced walls shall be separated by an average of four (4) feet with no point being separated by less than two (2) feet. Terraces shall be landscaped with low-maintenance shrubs, cacti, and vegetative groundcovers. Terraced walls shall include weep holes for drainage and sleeves for irrigation.

F. Where two lots abut one another, but have differing finish grades, the wall height shall be limited to six (6) feet on the high side and eight (8) feet on the low side. Modifications of these requirements shall require written request and approval of the Development Services Department.

G. In conditions where a proposed wall will be immediately adjacent to and/or adjoining an existing wall, one wall shall be removed or the proposed wall shall be designed and constructed to cap together the sides and top of both walls.

35.4.205 Screening Requirements

A. Screening Required by Zoning District

1. Residential development in the SR, R-1, R-2, R-3, R-4 and R-5 districts must provide a wall with a minimum height of six (6) feet along abutting property lines. Residential development in the A-1 and RR districts may require a wall based on determination by the Development Services Department.
2. Property in C-1, C-2, C-3, B-P, M-1, or M-2 districts which abuts any residential use must provide a wall with a minimum height of eight (8) feet along the abutting property line.
3. Property in R-O, C-O, or G-O districts, or of any nonresidential use in any residential district which abuts any residential district, must provide a wall with a minimum height of six (6) feet along the abutting property line.
4. Property in the R-2, R-3, R-4, or R-5 districts which abut any A-1, RR, SR, or R-1 districts must provide a wall with a minimum height of six (6) feet along the abutting property line.
5. When abutting an arterial street, property in the A-1, SR, RR, or R-1 districts shall provide a wall with a minimum height of eight (8) feet.

B. Screening Required for Select Uses

1. Parking Area Screens. All off-street parking areas adjacent to any street shall be screened from street views according to the provisions as set forth below. This standard can be met through the use of the following screening methods, which may be used individually or in combination:

   a. See regulation 35.4.103.E.

   b. Walls shall be designed to undulate and avoid straight segments longer than 100 feet

   c. Open areas or portals for natural surveillance and pedestrian access to the site shall be provided as required by the Development Services Department.

2. Refuse Area Screens. All trash, rubbish or garbage, including recyclable materials in common storage areas, shall be completely enclosed via a solid six (6) foot wall and view obstructing gate and located on a concrete surface. Refuse collection areas shall be readily accessible to collection vehicles, without substantially encumbering adjacent parking and vehicular access. For multi-family dwellings, the enclosure shall be softened with landscaping on any side visible from a public or private street.

3. Loading Area Screens. All non-passenger loading, delivery and service bays shall be screened from public view by a building, a decorative screen wall a minimum eight (8) feet in height, a solid opaque evergreen landscape screen or any combination thereof.

4. Mechanical Equipment Screens. All mechanical equipment, either ground-mounted or located on a rooftop, shall be screened from the view of a person standing on the property line on the far side of an adjacent public street. Individual screening of rooftop mechanical equipment is discouraged. Rooftop units should either be grouped together and screened or screened with a parapet wall the entire length of the building. Such a parapet wall shall be designed to be integral to the overall architecture of the building.

Fig. 4.5 Non-Residential Parking Screen Wall

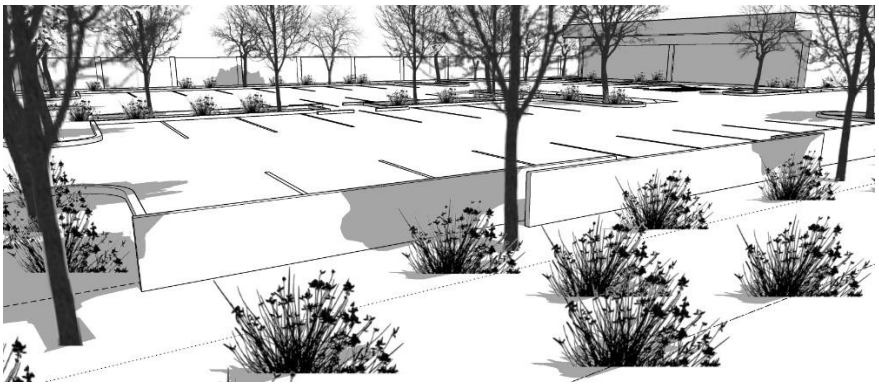


Fig. 4.6 Sample Wall Sections

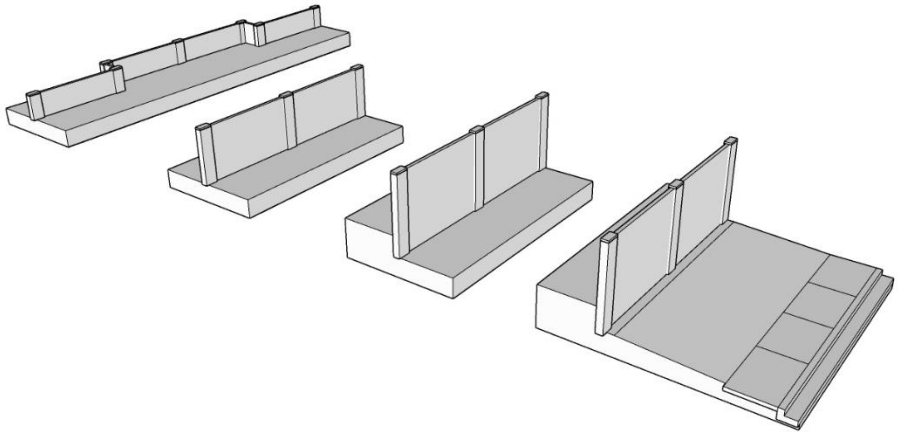
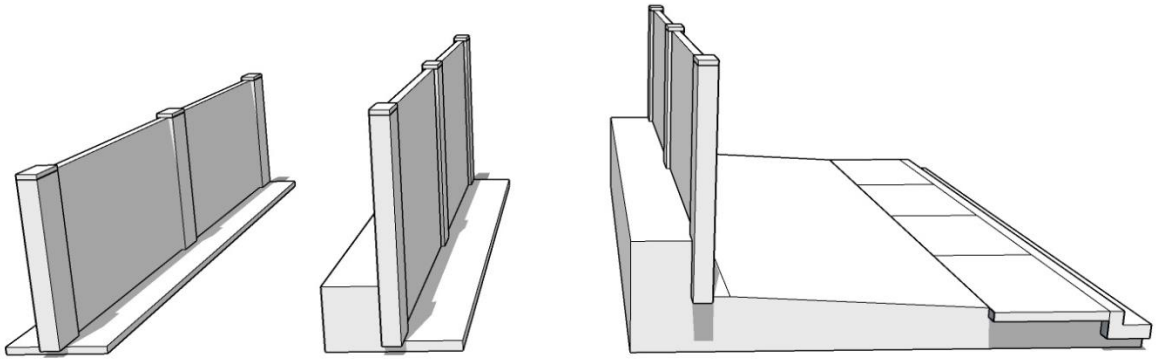


Fig. 4.7 Wall Scenarios – Even Lots, Uneven Lots, Lot at Higher Elevation than Street



35.4.206 Wall Placement & Height Limitations

A. No fence or wall shall be built, repaired, remodeled or replaced within thirty (30) feet (for arterial to arterial intersections the distance shall be forty (40) feet) of the corner of any lot, which corner is at the point of intersection of two (2) or more streets and which prevents a clear view by the operators of vehicles on the streets of traffic proceeding on the crossing street or streets. Within the area above defined, no fence which obstructs more than ten (10) percent of the view shall be built, repaired, remodeled or replaced to a height of more than thirty (30) inches from the level of the adjacent street.

B. No fence or wall shall be built, repaired, remodeled or replaced within ten (10) feet of any driveway within the City which obstructs the clear view of the operators of vehicles proceeding out of the driveway of pedestrians and vehicles on the adjacent sidewalk or street or roadway right-of-way. Within the area above defined, no fence which obstructs more than twenty-five (25) percent of the view shall be built, repaired, remodeled or replaced to a height of more than thirty (30) inches from the level of the adjacent street.

C. No fence or wall within the side or rear yard in all zoning districts shall exceed a height of six (6) feet unless otherwise stated herein.

D. No fence or wall within the front yard in all zoning districts shall exceed a height of three (3) feet. Decorative columns may be permitted at a height of four (4) feet and spaced no closer than six (6) feet on-center. Arched or framed entries are permitted provided they do not exceed seven (7) feet in height and are limited to one (1) per property.

1. The following uses are exempt from the three (3) foot height restriction for walls within the front yard, as set forth in this Section.

    a. Woven wire field fence shall have a maximum height of five (5) feet for residential uses in the A-1and RR Districts.

    b. Agriculture uses regardless of zoning district

    c. Temporary construction sites and yards

    d. Elementary and secondary schools

E. Fences or walls within the front yard shall be located outside the public right-of-way or public utility easements. Where neither exist, no wall shall interfere any utility meter. Crossings of utilities should be minimized provided that required maintenance or service could result in removal to all or a portion of the wall with no requirement for the utility owner to restore the wall to its original condition.

35.4.207 Maintenance

A. Every fence or wall shall be maintained in a condition of reasonable repair. Any fence or wall which has become unsightly or dangerous to the public safety, health or welfare shall be deemed a public nuisance and accordingly, the City shall commence proceedings for abatement. Any wall, or a portion thereof, that has been removed or damaged by any means, shall be restored to its original or improved condition.

35.4.208 Special Provisions

A. Barbed-wire and electrical fences

1. Barbed wire fences shall be prohibited in all zoning districts except in the C-3, B-P, M-1, M-2, A-1, RR, or SR Districts and for temporary construction sites, provided that the barbed wire is located six (6) feet or more above grade. Temporary barbed wire fencing located on construction sites shall be removed from the site at the time of final inspection, or a certificate of occupancy will not be issued.

2. No fence with strands of barbed-wire below the height of six (6) feet shall be constructed, or allowed to remain if heretofore constructed, within ten (10) feet of a street, sidewalk or roadway right-of-way in the City.

3. No electrical charged fence, other than one which is approved by the Underwriter's Laboratory (UL®) and unmodified, or other fence which is, or may be, dangerous to persons, children or animals shall be constructed, or allowed to remain if heretofore constructed, in the City.

    a. Electrical fences shall not be located within required street side setbacks.

    b. The electrical charge produced by the fence upon contact shall not exceed energizer characteristics set forth in the International Electrotechnical Commission (IEC) Standard.

c. The energy source for electrical fences must be provided by a storage battery no greater than 12 volts DC.

d. Electrical fences shall be clearly identified with warning signs that read "Warning – Electrical Fence" at intervals no less than thirty (30) feet. Signs shall also contain proper imagery, symbols, and/or the international sign for electricity that allow all individuals to understand that the fence is electrically charged.

e. Electrical fences shall contain an approved access and key switch capable of disconnecting the electrical fence from all power sources. Such access and switch shall be clearly marked and accessible for emergency and enforcement personnel.

f. The installation of electrical fences is subject to the issuance and approval of building permit obtained through the Development Services Department.

B. Sound Walls

1. Sound walls shall be required for developments abutting arterial roads, railroad corridors, and freeways. Such walls shall adhere to the City's standard detail for sound or noise attenuation walls, which at a minimum prescribes a wall that measures six (6) feet in height and at least six (6) inches thick. A noise study shall be conducted to verify attenuation needs and the wall(s) shall be designed and constructed accordingly.

C. Temporary Fencing

1. Temporary fencing as defined in Article 8 shall be permitted only with the issuance of a temporary fence permit, except for those sites for which an approved building permit, civil permit, special event permit or City-initiated abatement is active from the Development Services Department.
2. A temporary fence permit issued pursuant to this article shall be valid for a period of either:

   a. One hundred and eighty (180) days from the date of issuance in accordance with currently adopted building codes; or

   b. From the date of issuance to a date specified in the permit by the City.
3. Temporary fences shall be removed prior to permit expiration, unless the permit is extended to a specified time by the Development Services Director or designee. Applications for temporary fence permit time extensions must demonstrate one or more of the following conditions:

   a. Additional time is necessary because of ongoing environmental remediation activities on the site, or

   b. Existing safety hazards on the site are being addressed and warrant continued fencing of the site, or

   c. The site is being actively developed as demonstrated through recent inspection reports, or

   d. Additional time is necessary because of other extenuating circumstances as determined by the Development Services Director or designee.
4. Temporary fencing shall conform to the following criteria:

   a. The approved permit and contact information for the responsible party shall be prominently posted and maintained on the fence at all times.

b. A sign denoting the location of emergency vehicle access shall be prominently posted and maintained on the fence at all times.

c. Temporary fencing shall not exceed a maximum height of eight (8) feet above grade.

d. Temporary fencing shall conform to the sight visibility at street intersection requirements as set forth in the Zoning Ordinance and Section 30-70 of the City Code.

e. The use of barbed wire, razor wire or equivalent fence topping is prohibited.

f. Canvas, mesh fabric or other screening material may be required as a condition of approval in instances of visual blight, or in the likelihood that visual blight may develop when viewed from public right-of-way, as determined by the Development Services Director or designee.

g. Temporary fencing screening material may consist of canvas, mesh fabric, or other similar material, subject to the following conditions:

   i. Screening material must be securely affixed to the temporary fence at all times, must be uniform in color and material and must be maintained in a condition free from rips or tears, graffiti or other vandalism.

   ii. When associated with an approved building permit, civil permit, or special event permit, screening material may include graphics depicting project elevations and information, or contact information for developers, contractors, or individuals associated with the permit activity. Such graphics must be associated with activity occurring at the property for which the temporary fencing or building permit is issued and may not include off-site advertisements or signage.

5. Failure to comply with the conditions, stipulations, or terms of the approval of a temporary fence permit is a violation of this ordinance and will be enforced as such.

35.4.209 Wall Waivers

A. Where unique topographical conditions exist, a property owner or authorized agent may request a waiver from the wall requirements found in this Section. Waivers are to be granted by the Development Services Director or designee if the applicant for the waiver has demonstrated the challenges with the subject property and how such a waiver would not be detrimental to present or future surrounding property owners. The applicant shall submit a detailed wall plan, with topography, and a narrative for review by the City. Approval may be granted upon finding that the issue is not a result of the property owner's actions, that the approval will not be detrimental to surrounding property owners, and the City Engineer supports the waiver request.

B. Applicants who have received a waiver denial may submit an application for a Variance in accordance with Section 35.6.209 of the Unified Development Code.

35.4.300 SIGNAGE

35.4.301 Intent

The purpose of this Section is to promote a variety of messaging opportunities in a manner that does not diminish the City's visual well-being or result in an abundance of visual clutter. The regulations provided in this Section are intended to achieve the following community objectives:

A. Economic Development. Allow adequate signage for business identification.

B. Public Safety. Protect pedestrians and motorists from injury and property damage resulting from improperly constructed or poorly maintained signs.

C. General Aesthetics. Promote the use of signs which are well designed, of appropriate scale, and integrated with surrounding buildings, landscape, scenic corridors, and public spaces.

D. Context Appropriateness. Promote context-specific signage for defined areas where unique sign allowances and/or restrictions would be appropriate.

E. Protect Residential Areas. Establish sign standards that minimize impacts such as light intrusion and visual blight on residential communities.

F. Enforcement. Provide fair and consistent enforcement of the sign regulations contained herein and ensure compliance with local, county, state, and federal law.

35.4.302 Applicability

All signs erected, installed, or modified after the effective date of this Ordinance, shall conform to the regulations within this Section. Instances where an approved Planned Area Development (PAD), Zoning Overlay, or stipulation prescribes unique sign criteria not contained within this Section, such criteria shall remain in effect. However, where such criteria refers to standards that are not 'content neutral', that is, sign allowances based on sign content, such criteria shall be considered null and void. Similarly, references made to Section 35.4.300 Signage, in its entirety or in part, in lieu of establishing unique sign criteria for the subject PAD, Zoning Overlay, or stipulation, shall be considered null and void.

The regulations, requirements, and provisions set forth in this Section shall apply to all signs erected, placed, modified, or constructed within the City. While signs may be generally categorized into commercial and non-commercial speech, it is not the intent of this Section to regulate signs based on content or content based on sign type; exclusions for vulgarity and decency may apply.

35.4.303 Non-Conforming Signs

For the purposes of this Article, signs which are not in conformance with this Section shall be deemed non-conforming. Existing signs which were permitted and constructed prior to the adoption of the current Sign Code but have fallen out of conformance due to changes to the sign Code, are deemed legal non-conforming. Non-conforming signs that have not been deemed legal non-conforming, shall be brought into compliance with this Sign Code.

A. Non-conforming signs shall not be enlarged, altered or modified in a way that increases its non-conformity, unless such change is a reasonable alteration, repair, or maintenance as determined by the Zoning Administrator.

B. Reasonable repairs and maintenance, including LED conversions and retrofitting but not conversions from static signs to electronic reader panels, may be performed on legal non-conforming signs without requiring said sign to be brought into compliance with this Section; however, legal non-conforming signs shall be removed or brought into compliance when the sign has been:

1. damaged to where the repair cost exceeds fifty percent (50%) of the reproduction cost; or
2. destroyed beyond repair; or
3. relocated on the property or building; or
4. abandoned or otherwise unused for a period of 180 days or more (the Development Services Director or designee may extend this period for properties subject to foreclosure, bankruptcy, probate and/or judicial action); or
5. altered in terms of color, size, shape, or orientation on the property (excluding changes to sign content or replaceable message panels).

C. Legal non-conforming signs requiring temporary removal during site or building construction, which has not been initiated by the sign owner, may be replaced without being brought into compliance with this Section.

D. Vintage Signs. The restoration and retention of legal non-conforming and historically significant signs that have been removed from their original locations and are to be reused is encouraged. Allowing those signs to move to other locations within the community is necessary to ensure preservation. Once recognized as a vintage sign, the sign is deemed conforming.

1. Recognition Criteria. The Development Services Director or designee, may recognize an existing sign as a vintage sign if it meets the following criteria:

    a. The sign shall be at least 20 years old.

    b. The sign shall meet three or more of the following:

        i. The sign exhibits unique or rare characteristics that will enhance the streetscape or identity of a neighborhood in which it will be placed.

        ii. The sign contributes to the historic or cultural identity of the community.

        iii. The sign represents a remarkable example of the sign maker's art due to craftsmanship, use of materials, or design.

        iv. Retains its original design character, or that character will be reestablished or restored, based on historic evidence such as drawings or photographs.

        v. The sign complies with, or can be discretely modified to comply with, the applicable provisions of the City of Glendale building codes. Permitting requirements shall apply.

        vi. The sign is structurally safe or is capable of being made so without substantially altering its appearance.

        vii. Relocation. When a Vintage Sign is being relocated off-premise, such sign be relocated a location within the City of Glendale. The receiving site shall be located within a non-residential zoning district.

35.4.304 Exemptions

The following signs shall be considered permitted by right and shall not require City review, permitting, or other authorization to post or install unless specifically excepted herein.

A. Traffic control and street identification signs, barricades, utility signs, or other similar signs erected or maintained by a governmental entity, utility provider, or railroad shall be exempt from this Article.

B. Signs not visible or not intended to be legible beyond the boundaries of the property upon which they are located shall be exempt from the provisions of this Article, except those public safety provisions contained in Section 35.4.306.I.

C. Signs or monuments protected by state or federal statute.

D. Government Signs, including, but not limited to the following:

1. Public emergency, hazard, or legally mandated warning signs. Where a federal, state or local law requires a property owner to post a sign on the owner's property to warn of a danger or to prohibit access to the property either generally or specifically, the owner must comply with the federal, state or local law to exercise that authority by posting a sign on the property.

E. Federal, state, or municipal flags may be displayed to serve a compelling governmental interest.

F. Traffic control and road identification signs.

G. Official public notices as required by any public or court officer to satisfy official duties or responsibilities. All such signs shall be removed by the property owner within fourteen (14) days after their purpose has been met.

H. Address Identification Numbers.

I. Grave markers, headstones, or similar monuments.

J. Private Holiday and Seasonal Decorations. Decorations shall be displayed for a maximum of 30 days prior to and 30 days following the event or holiday. All decorations shall be maintained in good condition and shall not be displayed in a manner that could result in a hazard to pedestrians or vehicular traffic.

K. Interior signs not intended to be viewed from outside a building or enclosure.

L. Memorials, public monuments, or historical identification signs installed in accordance with all applicable regulations.

M. Public Art, specifically publicly commissioned sculptures, murals, or other art forms, which contain no advertising, commercial messages, or logos; and/or that are not displayed in conjunction with a commercial enterprise which may obtain commercial gain from the display.

N. Signs associated with local vending, kiosks, ATMs, accepted credit cards, or similar uses.

O. Signs for public and quasi-public uses including, but not limited to, public parks and recreation facilities, libraries, government buildings, public utility facilities, hospital emergency rooms, and other similar uses.

35.4.305 Prohibited Sign Types

The following signs shall be prohibited unless specifically identified as permissible elsewhere in this Article or in an approved Planned Area Development, Temporary Use / Special Event Permit, Comprehensive Sign Program, or Council-approved stipulation:

A. Signs located within, on, or projecting over any public street, right-of-way, or other public property, except where specifically permitted in this Article.

B. Signs emitting sound. This shall not apply to signs associated with drive-through or drive-up services.

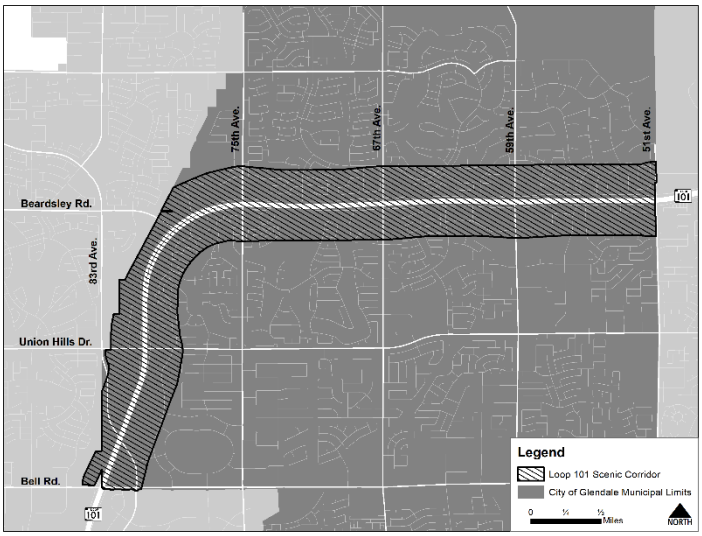
C. Signs with flashing illumination such as strobe or rotating lights and sequenced or similar animated lighting, except Digital Billboard Signs and Electronic Reader Signs where hold or cycle times have been established.

D. Signs mounted, attached, or painted on trailers, boats, or motor vehicles when parked, stored, or displayed in a manner intended to attract the attention of the public.

E. Pennants, banners, balloons, flags, and similar displays except as provided in Section 35.4.312 & 35.4.313.

F. Temporary signs except as permitted in Section 35.4.312 & 35.4.313.

G. Billboard Signs and Digital Billboard Signs are prohibited on property located within the Loop 101 Scenic Corridor.



City of Glendale Loop 101 Scenic Corridor

35.4.306 General Provisions for all Signs

The following general provisions for signs shall apply to this Section and to all lawful conforming and non-conforming signs, unless otherwise indicated in this Section.

A. Content Neutrality.

1. No sign or sign structure shall be regulated solely based upon its content or viewpoint contained on such sign.
2. It shall be the policy of the City to regulate signs in a manner that does not favor commercial speech over non-commercial speech and shall not regulate protected non-commercial speech.

3. In this Section, any distinction made between onsite and offsite signs shall apply only to commercial messages.

B. Administrative Interpretation and Discretionary Approval.

1. Interpretations of this Section shall be performed in a manner that is consistent with the intent set forth herein.

C. Whenever a sign permit or other approval is subject to discretion, such discretion shall be limited to structural, size, and location factors, including:

1. Location and placement of the sign for motorist or pedestrian safety;
2. Preservation of historical or architecturally significance structures and buildings;
3. Minimization of obscured views of adjacent buildings and site elements;
4. Protection against negative visual impacts on public open spaces, facilities, and plazas;

D. Consent of Property Owner or Agent. Except as required by state law, no sign may be displayed without the consent of the legal owner or authorized agent of the property on which the sign is mounted or displayed.

E. Applicable Building Codes. All signs shall be structurally designed, constructed, erected, and maintained in accordance with all applicable provisions and requirements of the City of Glendale Building Codes.

F. Materials. Exterior signs shall be constructed of durable materials designed to withstand the extreme desert heat and exposure to direct sunlight. Signs shall be kept free of rust, distortion, warping, peeling, fading, or other similar defects.

G. Signs Located on Public Property, Including Rights-of-Way. Except as required by state law or otherwise permitted by this Section, signs installed or placed on public property shall be deemed illegal and shall be subject to confiscation. The City shall maintain the right to recover from the property or sign owner any costs associated with sign removal and disposal. All signs placed within the right-of-way shall be approved by the Transportation Department.

H. General Maintenance. All signs and sign structures, conforming and legally non-conforming, shall be maintained in good order, repair, and appearance at all times so as not to constitute a danger or hazard to the public safety or contribute to visual blight. If the Development Services Director or designee, determines any sign or sign structure to be in an unsafe or unsightly condition, the owner of such sign shall be immediately notified in writing and instructed to correct such condition within sixty (60) days. If the correction has not been made within sixty (60) days, the Development Services Director or designee may have the sign removed if it creates a danger to the public safety or welfare, or have any necessary repairs or maintenance performed at the expense of the sign owner, or owner or lessee of the property upon which the sign is located.

I. Hazardous Signs and Public Safety. Hazardous conditions caused by signs shall be mitigated within forty-eight (48) hours. Mitigation measures include, but may not be limited to barricading, disconnection of electricity, bracing, removal, or repair. If the mitigation has not been made within forty-eight (48) hours, the Development Services Director or designee may order the sign removed if it creates an immediate danger to the public safety or welfare, or have any necessary repairs or maintenance performed at the expense of the sign owner, or owner or lessee of the property upon which the sign is located.

J. Placement of Signs.

1. Permanent Signs shall not encroach into any public right-of-way without proper authorization and permitting by the City;
2. No portion of any sign shall extend below eight (8) feet above finished grade when installed above a sidewalk or similar pedestrian way.
3. No portion of any sign shall extend below fourteen (14) feet above finished grade when installed above a driveway, drive aisle, or similar vehicular accessway.
4. Any sign placed on a sidewalk or in a public right-of-way shall not impede pedestrian access and shall comply with the minimum access width requirements as prescribed by the Americans with Disability Act (ADA) and if placed on a post, the bottom of the sign shall be no less than seven (7) feet above the ground plane.
5. Only permitted traffic control signage may be placed in the sight visibility triangle.
6. Signs shall not interfere with utilities or drainage facilities.

K. Replacement of a sign panel of the same size, and style as the originally approved sign structure with removable panels shall not require a permit. Unused signs cabinets shall be removed or made blank within thirty (30) days of tenant suite vacancy.

L. Where a tenant has vacated a suite and a wall-mounted sign or signs have been removed, the fascia shall be repaired to its surrounding texture and color within thirty (30) days of the sign being removed.

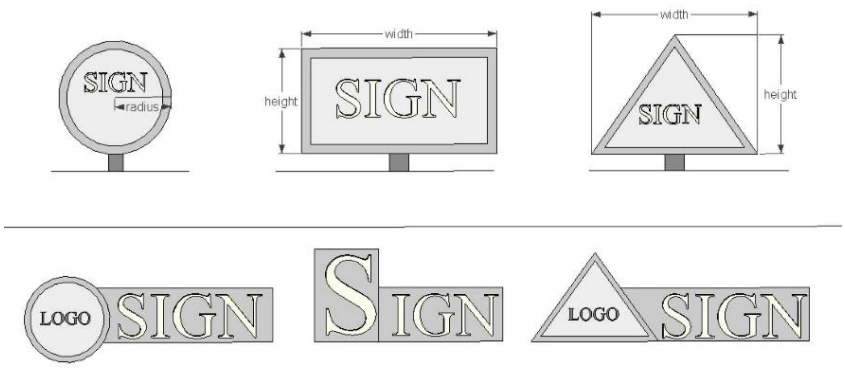
M. Bus Shelter Signage. Notwithstanding the provisions of this Section, signs in conjunction with bus shelter facilities approved by the City or other governmental agencies shall be permitted.

N. Signs may be illuminated or non-illuminated, unless otherwise restricted in this Section or applicable condition of approval. The source of the sign's illumination shall not be visible from any street, sidewalk, or adjacent property. The use of shielded or exposed neon (or similar gas) lighting shall be subject to Section 35.4.400.

35.4.307 Sign Calculations and Measurements

A. Sign area calculations shall be as follows:

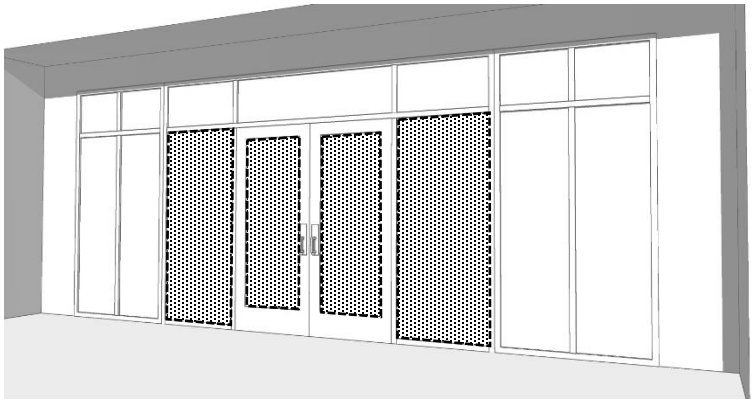
1. Sign copy mounted or painted on a background panel or area distinctively painted, textured, or constructed as a background for the sign copy shall be measured as that area contained within the sum of the smallest rectangles that will enclose both the sign copy and the background.



2. Sign copy mounted as individual letters or graphics against a wall, fascia, mansard, or parapet of a building or other structure that has not been painted, textured, or otherwise altered to provide a distinctive background for the sign copy shall be measured as a sum of the smallest standard geometric shape that will enclose each word and each graphic in the total sign.
3. The area of window signs shall include the window area as a continuous surface until divided by an architectural or structural element, excluding mullions. Window signage area is calculated in the same manner as described in Section 35.4.307.A above.

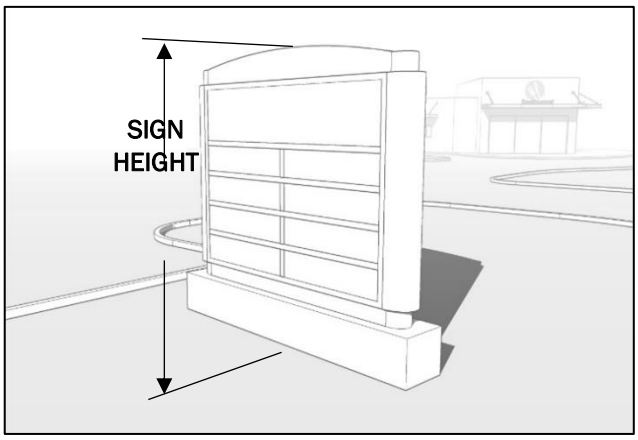


4. Perforated window graphics / window clings, that is, those elements which serve as an exterior window sign while still allowing visibility through the window shall be counted as a window sign.



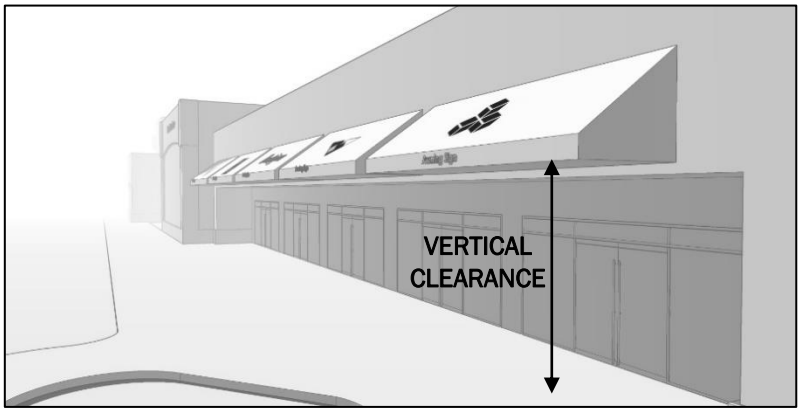
B. Measurement of Sign Height

1. Sign height is measured from the base of the sign at the ground to the highest point of the sign or surrounding structure / architectural element. Where a sign is installed in a location where its contact with the ground is below the surface of a public sidewalk in conjunction with a public right-of-way, the sign height may be taken from the top of sidewalk.



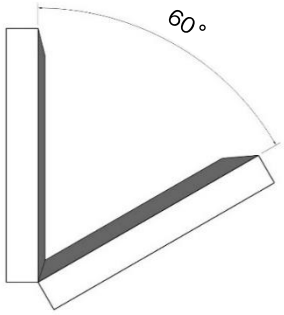
C. Measurement of Vertical Clearance

1. Where prescribed in this Section, the vertical clearance is measured as the vertical distance measured from the ground directly below the sign to the lowest point of the sign or surrounding structure / architectural elements associated with the sign.



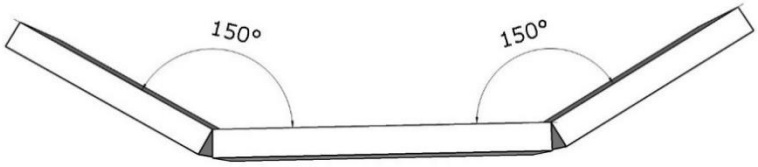
D. Multi-face signs shall be measured as follows:

1. Two (2) face signs: If the interior angle between the two (2) sign faces is sixty (60) degrees or less, the area shall be of one (1) face only. If the angle between the two (2)



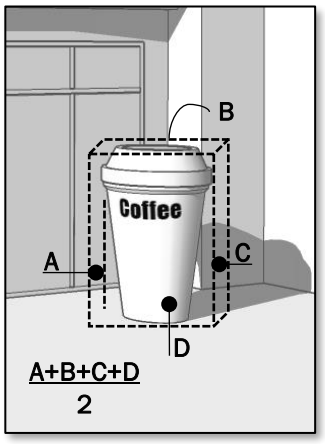
sign faces is greater than sixty (60) degrees, the sign area will be the sum of the areas of the two (2) faces.

2. Three (3) face signs: If the interior angle between the center sign and each outer sign is 150 degrees or less, the area shall be fifty (50) percent of the sum of the areas of all faces. If the angle between the center sign and either outer sign is greater than 150 degrees, the sign area shall be the sum of the areas of all faces.



3. Signs comprised of more than three (3) faces: Sign area shall be calculated as the total of all sign faces.

4. Free-form and other non-planar signs. The area of a spherical, free-form or other non-planar sign is fifty (50) percent of the sum of the areas, using only the four (4) vertical sides of the smallest four-sided polyhedron which will completely enclose the entire sign structure.



35.4.308 Permitting and Fees

All required permits shall be obtained prior to erecting, placing, constructing, altering, or changing the copy on any sign within the City except as specifically identified in this Section.

A. It shall be unlawful for any person to erect, place, construct, alter, or maintain any sign, except those exempt signs listed in herein, when all required permits have not been issued for that sign.

B. The permit fees shall be in the amount established by City Council resolution or pursuant to Glendale City Code Section 2-3.

C. Applications for all required permits must be made in writing on forms provided by the Development Services Department. Information including, but not limited to the following will be required:

1. Address of the property.
2. Business name.
3. Business owner's contact information.
4. Sign contractor's contact information.
5. Glendale sales tax number and contractor's license number.
6. Valuation of the sign(s).
7. Inventory of all existing signs on the property showing the type, dimensions, and location of each sign.
8. Dimensioned plans and elevations showing the dimensions, design copy, and location of each proposed sign.
9. Plans indicating the scope and structural detail of the work to be done; including details of all connections, supports, footings, and materials to be used.
10. Required information for an electrical permit for all electric signs.
11. Color, material, and letter samples when the sign is subject to design review.

35.4.309 Permitted Signs by Use

Table 4.300-1: Site Signs
For the purposes of this code, a Site Sign shall refer to any permanent sign that is not affixed to a building and is commonly used to advertise a business or service.

	Permitted Zoning Districts	Permitted Type of Uses	Special Requirements & Section References
Billboard, Static	M-1 and M-2	All permitted uses	See Section 35.4.310.A for specific sign standards. Loop 101 & 303
Billboard, Digital (Electronic)	~~M-1 and M-2, or~~ Approved PAD	All permitted uses	See Section 35.4.310.B for specific sign standards. Loop 101& 303
Directional	R-3, R-4, R-5, R-O; and C-O, G-O PR, SC, C-1, C-2, C-3, B-P, M-1, M-2	Multiple Residence uses; All permitted non-residential uses	See Section 35.4.310.C for specific sign standards. Excludes single-family residential parcels.
Directory	All districts	All permitted uses	See Section 35.4.310.D for specific sign standards. Excludes single-family residential development option.
Drive-Up / Drive-Through	C-O, G-O, PR, C-1, C-2, C-3	All permitted drive-up / drive through uses only	See Section 35.4.310.E for specific sign standards.
Electronic Reader Panel	R-3, R-4, R-5, R-O; and C-O, G-O PR, C-1, C-2, C-3, B-P, M-1, M-2	Multiple Residence uses; All permitted non-residential uses	See Section 35.4.310.F for specific sign standards. Excludes single-family residential development and parcels. Excludes individual users / tenants in all Multiple Residence development.

Entry Wall Monument	All districts	All permitted uses	See Section 35.4.310.G for specific sign standards. Excludes individual single-family parcels. Permitted in single-family residential communities / subdivisions
Freestanding Monument	All districts	All permitted uses	See Section 35.4.310.H for specific sign standards. Excludes individual single-family parcels. Permitted in single-family residential communities / subdivisions
Pylon	R-5; and C-O, G-O, C-1, C-2, C-3, B-P, M-1, M-2	Multiple Residence uses; All permitted non-residential uses	See Section 35.4.310.I for specific sign standards. Proximity to Loop 101, Loop 303, Northern Parkway, or Grand Avenue

Table 4.300-2: Building Signs
For the purposes of this code, a Building Sign shall refer to any permanent or semi-permanent sign that is affixed to a building, including windows and architectural elements, and is commonly used to advertise a business, service, or product or to convey a message or artistic expression.

	Permitted Zoning Districts	Permitted Type of Use / Activity	Special Requirements & Section References
Awning	R-2, R-3, R-4, R-5; and C-O, G-O, PR, C-1, C-2, C-3, B-P, M-1, M-2	Multiple Residence uses; All permitted non-residential uses	See Section 35.4.311.A for specific sign standards. Excludes single-family residential development and parcels. Excludes individual users / tenants in all Multiple Residence development.
Electronic Reader Panel	R-4, R-5, R-O; and C-O, G-O, PR, C-1, C-2, C-3, B-P, M-1, M-2	All permitted non-residential uses	See Section 35.4.311.B for specific sign standards. Excludes single-family residential development and parcels. Excludes individual users / tenants in all Multiple Residence development.
Marquee	C-1, C-2, C-3	All permitted non-residential uses	See Section 35.4.311.C for specific sign standards.
Mural	R-3, R-4, R-5; and C-O, G-O, PR, C-1, C-2, C-3, B-P, M-1	Multiple Residence uses; All permitted non-residential uses	See Section 35.4.311.D for specific sign standards. Excludes single-family residential development and parcels. Excludes townhome development. Murals shall be subject to Design Review and size restrictions.
Place Marker	All zoning districts	All permitted uses	See Section 35.4.311.E for specific sign standards.
Skyline	PR, C-3	All permitted non-residential uses	See Section 35.4.311.F for specific sign standards.

Wall, Mounted	R-4, R-5; and C-O, G-O, PR, C-1, C-2, C-3, B-P, M-1, M-2	Multiple Residence uses; All permitted non-residential uses	See Section 35.4.311.G for specific sign standards. Excludes townhome development.
Wall, Painted	R-5; and PR, C-1, C-2, C-3, M-1, M-2	Multiple Residence uses; All permitted non-residential uses	See Section 35.4.311.H for specific sign standards. Excludes townhome development. Subject to Design Review
Wall, Projected	R-5; and PR, C-1, C-2, C-3	Multiple Residence uses; All permitted non-residential uses	See Section 35.4.311.I for specific sign standards. Excludes townhome development.
Wall, Projecting	PR, C-1, C-2, C-3	All permitted non-residential uses	See Section 35.4.311.J for specific sign standards.
Window	R-3, R-4, R-5, R-O; and C-O, G-O, PR, C-1, C-2, C-3, B-P, M-1, M-2	Multiple Residence uses; All permitted non-residential uses	See Section 35.4.311.K for specific sign standards. Excludes single-family development. Prohibited for individual users / tenants in all Multiple Residence developments.

Table 4.300-3: Temporary Signs

For the purposes of this code, a Temporary Sign shall refer to any sign that is used for a very short duration commonly used to advertise events, promotions, or services or to convey a unique, but temporary message.

	Permitted Zoning Districts	Permitted Type of Use / Activity	Special Requirements & Section References
A-Frame	C-O, G-O, PR, C-1, C-2, C-3	All permitted non-residential uses	See Section 35.4.312.A for specific sign standards.
Banners	C-O, G-O, PR, C-1, C-2, C-3, M-1	All permitted non-residential uses	See Section 35.4.312.B for specific sign standards.
Downtown Promotional Banners	PR	All permitted non-residential uses	See Section 35.4.312.C for specific sign standards.
Feather / Swooper Flags	C-O, G-O, C-1, C-2, C-3, B-P	All permitted non-residential uses	See Section 35.4.312.D for specific sign standards.
Inflatables	C-O, G-O, C-1, C-2, C-3	All permitted non-residential uses	See Section 35.4.312.E for specific sign standards.
Political	All zoning districts	All permitted uses	See Section 35.4.312.F for specific sign standards.
Sign Walker	All zoning districts	All permitted uses	See Section 35.4.312.G for specific sign standards.
Pennants	C-O, G-O, C-1, C-2, C-3	All permitted non-residential uses	See Section 35.4.312.H for specific sign standards.

Table 4.300-4: Miscellaneous Signs
For the purposes of this code, Miscellaneous Signs shall refer to those signs that may not necessarily align with other sign types. These signs are often temporary in nature, though they may be present for more extended periods of time to serve a specific purpose.

	Permitted Zoning Districts	Type of Use / Activity	Special Requirements & Section References
Flag - Commercial	R-3, R-4, R-5, R-O; and C-O, G-O, PR, C-1, C-2, C-3, B-P, M-1, M-2	Multiple Residence uses; All permitted non-residential uses	See Section 35.4.313.A for specific sign standards. Excludes single-family development and parcels. Prohibited for individual users / tenants in all Multiple Residence developments.
Flag - Non-Commercial	All zoning districts	All permitted uses	See Section 35.4.313.B for specific flag standards.
Subdivision Advertising and Directional	All zoning districts	All permitted uses	See Section 35.4.313.C for specific sign standards.
Construction and Development	All zoning districts	All permitted uses	See Section 35.4.313.D for specific sign standards.
Weekend Directional	All zoning districts	All permitted uses	See Section 35.4.313.F for specific sign standards.
Yard Sign	All zoning districts	All permitted uses	See Section 35.4.313.G for specific sign standards.
Light Pole Banner	C-O, G-O, PR, C-1, C-2, C-3	All permitted non-residential uses	See Section 35.4.313.E for specific sign standards.

35.4.310 Site Signs

This Section is comprised of permitted Site Signs and their respective regulations. Signs not appearing in this Section shall be considered prohibited.

A. Billboards, Static

1. Permit required.
2. Billboards shall be prohibited in the designated Loop 101 Scenic Corridor.

    a. No billboard shall be erected within six hundred sixty (660) feet of the planned or existing freeway, expressway, parkway, right-of-way, or planned corridor, as officially designated by the Arizona Department of Transportation or the City of Glendale.

3. No new billboards may be constructed within the city unless the person desiring to construct such a billboard submits evidence to the City that the person has removed an existing billboard from within the City of Glendale. If evidence is submitted that a billboard has been removed after the effective date of this ordinance, the City shall issue building and sign permits for one (1) new billboard not to exceed the area of the sign which was removed or three hundred (300) square feet, whichever is less. However, if a person submits evidence that in excess of three hundred (300) square feet of billboard area has been removed, by the removal of four (4) or more billboards with an area of seventy-five (75) square feet or less, the City shall issue building

permits for one (1) new billboard with a maximum area of three hundred (300) square feet. Any new billboard shall be erected, constructed, or placed within six (6) months after removal of the billboard(s) it is replacing.

4. All billboards erected, placed, or altered within the city shall comply with the following requirements:

    a. The space between the newly erected, placed, constructed, or altered billboard and any existing billboard shall not be less than six hundred (600) feet.

    b. All billboards shall have landscaping around the base at a rate of fifteen (15) square feet per linear foot of sign.

    c. Off-site improvements or appropriate financial assurance as approved by the City shall be required along any abutting street for the full frontage of the property where the billboard is to be located.

    d. No part of such sign structures shall be erected closer to a street than the front line of the nearest building which is within one hundred (100) feet of the sign and which fronts on that street; provided, however, that when a sign is erected between two (2) buildings which both front on the same street and which are both within one hundred (100) feet of the sign, then the sign shall not be erected closer to that street than a line drawn from the nearest front corner of each building.

    e. If no building is located within one hundred (100) feet of the off-premise sign, the sign structure shall be set back in accordance with the setback requirements of the zoning district in which located, but shall not be less than ten (10) feet behind a front property line.

    f. Notwithstanding any other provision in this section, no billboards shall be erected, placed, constructed, or altered within the city which have an area exceeding three hundred (300) square feet or a height exceeding twenty-five (25) feet.

    g. The billboard's structure, not including the sign copy, shall be compatible with the color, reflectivity, and other qualities of its surrounding environment.

    h. No billboard shall have more than one (1) support column.

    i. Access ladders to maintenance platforms shall be constructed or maintained in such a position as not to project beyond a visual envelope established by structural elements or projections of the sign face and trim to the ground as viewed from a place parallel to the face of the sign.

    j. Other than support columns, maintenance walkways, embellishments, ends, cross bracings, tops or bottoms, parallel or v-shaped signs, no back braces, torque arms, stringers, panel attachments, or similar structural elements or accessories shall be exposed. If such elements or accessories are not covered by a sign face, screening of such elements or accessories shall be colored similarly to the remaining portions of the sign back.

B. Billboards, Digital (Electronic)

1. Permit required.

2. Billboards shall be prohibited in the designated Loop 101 Scenic Corridor.

3. Placing a Digital Billboard Sign requires that the zoning of the lot on which the Digital Billboard Sign is located must be Planned Area Development (PAD).

4. All Digital Billboards erected, placed, or altered within the city shall comply with the following requirements:

    a. Placing a Digital Billboard Sign requires the approved Planned Area Development (PAD) to be located in Township 2 North, Range 1 East, Gila and Salt River Base and Meridian, Township 2 North, Range 2 West, Gila and Salt River Base and Meridian, or Township 3 North, Range 2 West, Gila and Salt River Base and Meridian, and to have a minimum of one thousand (1,000) feet of lineal frontage adjacent to Loop 101 (Agua Fria Freeway) or to have a minimum of one thousand (1,000) feet of lineal frontage adjacent to Loop 303.

    b. The Digital Billboard Sign must be located within three hundred (300) feet of the freeway right-of-way.

    c. There shall be a minimum distance of one thousand seven hundred sixty (1,760) feet between all Digital Billboard Signs on any single Planned Area Development.

    d. All Digital Billboard Signs must be set back a minimum of three hundred thirty (330) feet from the property line of any adjacent property not a part of the same approved Planned Area Development having frontage on Loop 101 (Agua Fria Freeway) or Loop 303.

    e. Maximum sign height, including any supporting structures, for a Digital Billboard Sign must be no more than sixty (60) feet.

    f. Maximum Digital Billboard Sign width must be no more than fifty (50) feet.

    g. Maximum Digital Billboard Sign area must not exceed six hundred seventy-five (675) square feet.

    h. The message or image of the Digital Billboard Sign may be static or change at specific or programmed time intervals. The change in message or images shall occur no more frequently than once every eight (8) seconds and shall not have fade or dissolve transitions, or full animation or video, or similar subtle transitions or frame effects that have the appearance of moving text or images. A default black display shall be required in the event of malfunction.

    i. Message sequencing, the use of multiple Digital Billboards in a row to convey a message, shall be prohibited.

    j. Advertisements shall be limited to single frames.

    k. Provisions in this section supplement and do not supersede provisions of any PAD in existence before the effective date of this ordinance.

    l. Design Review approval is required to allow any Digital Billboard Sign.

    m. No Digital Billboard shall be located within one thousand (1000) feet of any single residence zoning district including RR-90, RR-45, SR-30, SR-17, SR-12, R1-10, R1-8, R1-7, R1-6, R1-4, R-2, R-3, or property within unincorporated Maricopa County for which a plat was filed and recorded prior to January 1, 2000.

    n. One Digital Billboard is permitted as a prelude to other development in a PAD. All additional Digital Billboard Signs shall be integrated into the PAD and have a relationship to the development, including common design elements such as styles and materials, and a functional relationship to the structures, parking, and open spaces in the development. The height, location, materials, color, texture,

setbacks, and mass of the additional Digital Billboard Signs must be appropriate to the development, the neighborhood, and the community. The architectural character of the proposed additional Digital Billboard Sign shall be in harmony with, and compatible to, structures in the neighboring environment and the architectural character desired for the city, avoiding excessive variety or monotonous repetition. All additional Digital Billboard Signs shall be reviewed only as part of the review of the Master Development Plan of the property and integrated with surrounding buildings and landscaping. Additional Digital Billboard Signs will be permitted only as part of a comprehensive sign package for the entire PAD which includes common design elements. Digital Billboards must be fully integrated into this comprehensive sign package.

o. Digital Billboard Sign illumination must be extinguished between 11:00 p.m. and sunrise. The only exception to this will be for amber alerts and other governmental emergencies.

p. All illuminated Digital Billboard Signs shall have unlimited daytime surface luminosity and shall be limited to 310 foot-candles during nighttime hours.

q. All Digital Billboard Signs shall provide for automatic dimming based upon ambient lighting conditions, including evening and overcast weather.

r. It shall be unlawful for any Digital Billboard Sign to have an illuminance greater than 1.0 foot candle at the property line of any adjacent property.

s. Any approved Digital Billboard Sign shall adhere to new safety requirements if conclusive research findings develop.

t. Only one Digital Billboard Sign shall be erected prior to the first phase of development on a PAD.

u. All Digital Billboard Signs shall receive all required licenses prior to approval.

C. Directional

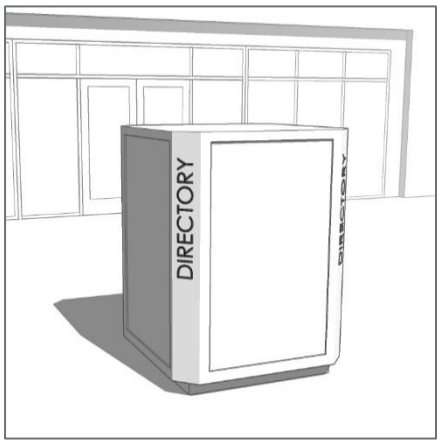
1. No permit required, excluding building permits.
2. Directional signs when required to assist the flow of traffic shall not exceed six (6) square feet in area or a height of three (3) feet.



D. Directory

1. Permit required when sign is legible and intended to be legible from the public right-of-way.

2. Directory signs when required for multiple residence developments or other permitted facilities containing multiple tenants or building groups shall comply with the following requirements:



   a. The sign shall not exceed a height of eight (8) feet.

   b. The maximum sign area for each sign face is thirty (30) square feet.

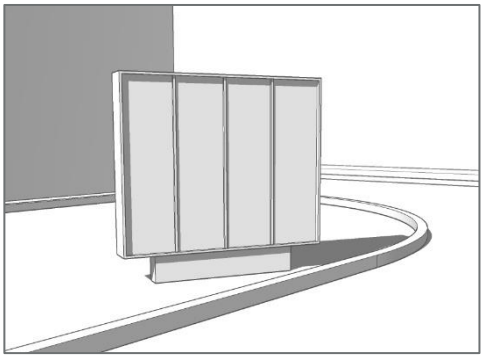
   c. Each directory shall be illuminated with a maximum area of eighteen (18) square feet for each sign face and a maximum height of six (6) feet.

   d. The number and location of the signs must comply with fire department requirements.

E. Drive-up / Drive-through

1. Permit required.

2. The following standards apply to drive-through signs:



   a. Drive-through signs are limited to two (2) per drive-through lane.

   b. Drive-through signs are limited to 64 square feet in total sign area and six (6) feet in height. The drive-through sign may be designed as separate ground or wall mounted signs grouped together or may include the use of one preview board installed prior to one point of order board, however the total area of all signs shall not exceed 64 square feet.

   c. In addition, drive-through signs are permitted ten square feet of sign area for temporary signs attached to the top or sides of the drive-through sign.

   d. Drive-through signs shall be located a minimum of 100 feet from any residential use. This is measured from the sign face to the nearest edge of any residential zoning district.

   e. Drive-through signs shall be internally illuminated. Drive-through signs may also contain an electronic or video display screen and audio component for interaction with the customer. External illumination of drive-through signs may be permitted, provided lighting is shielded and directed on the sign face only.

F. Electronic Reader Panel

1. Permit required.

2. Commercial, civic, and institutional uses may have one (1) freestanding reader panel sign not to exceed thirty-two (32) square feet in area and fourteen (14) feet in height per street frontage.
3. Commercial, civic, and institutional uses may use up to one-half (½) of the allowed freestanding sign area for a reader panel.
4. The following uses in any district are permitted an electronic sign: cultural facility, educational facility - primary or secondary, educational facility - university or college, government office/facility, park/playground, place of worship.
5. Reader panel signs shall be no closer than one hundred fifty (150) lineal feet from a single-family residential use.
6. Only one electronic sign per street frontage is permitted.
7. Each message or image displayed on an electronic sign shall be static for a minimum of eight seconds. Electronic signs shall display static text messages only, with no animation or effects simulating animation or video.
8. Scrolling, flashing, animation, or movement of the message or any component of the sign is prohibited. Any message change sequence shall be accomplished immediately by changing from one screen to another without transition effect. Message displays shall not change more than once every eight (8) seconds.
9. Electronic reader panel displays shall have an automatic dimmer control to allow for automatic dimming of the intensity of the sign illumination and accommodate varying light conditions
10. Electronic reader panel displays shall not increase the brightness level by more than 0.3 foot-candles over ambient brightness levels at the property line as measured by foot candle meter.

G. Entry Wall Monument

1. Residential Uses

    a. Permit required.

    b. Two (2) signs per main access point to the development or subdivision.

    c. Maximum height of six (6) feet or the height of wall on which it will be installed, whichever is less.

    d. Maximum sign area of 32 square feet. Sign area shall not exceed 30% of the wall area on which it is installed.

2. Non-Residential Uses

    a. Permit required.

    b. One (1) sign per main access point to the development or subdivision.

    c. Maximum height of four (4) feet or the height of the parking screen wall, whichever is less.

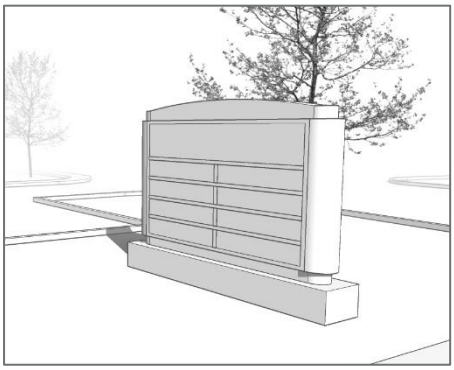
    d. Maximum sign area of 36 square feet. Sign area shall not exceed 40% of the wall area on which it is installed.

3. Illumination shall be limited to backlighting of individual pan-channel style letters or external projected lighting provided light source is shielded from view from the public right-of-way and residential uses.

4. No portion of the sign shall extend more than twelve (12) inches from the face of the wall on which the sign is installed.
5. Signs shall incorporate key design elements of the development to which it belongs such as colors, materials, and proportion.

H. Freestanding Monument

1. Permit required.
2. One (1) freestanding monument sign shall be permitted per 200 linear feet of street frontage. Properties with less than 200 linear feet of street frontage shall be limited to one (1) freestanding monument sign.



3. Freestanding signs shall not exceed the following heights, except where modified herein:

    a. Placed along Major Arterial Roads and Parkways (including Bell Road and Grand Avenue): 14 feet

    b. Placed along Arterial Roads (excluding Glendale Avenue between 54th Ave and 59th Ave): 10 feet

    c. Placed along All other roads (including Glendale Avenue between 54th Ave and 59th Ave): 8 feet

4. Freestanding Monument signs shall not exceed the following areas, except where modified herein:

    a. Placed along Major Arterial Roads and Parkways (including Bell Road and Grand Avenue): 80 square feet or one hundred ten (110) square feet for parcels over twenty (20) acres.

    b. Placed along Arterial Roads (excluding Glendale Avenue between 54th Ave and 59th Ave): 60 square feet or eighty (80) square feet for parcels over twenty (20) acres.

    c. Placed along All Other Roads (including Glendale Avenue between 54th Ave and 59th Ave): 32 square feet or sixty (60) square feet for parcels over twenty (20) acres.

5. The base shall have an aggregate width of at least fifty (50) percent of the width of the sign.
6. C-O and G-O Zoning Districts:

    a. The sign shall not exceed a height of eight (8) feet and forty-eight (48) square feet in area when the project includes a building of ten-thousand (10,000) square feet or more and the site has a minimum of three-hundred thirty (330) lineal feet of continuous frontage on an arterial street.

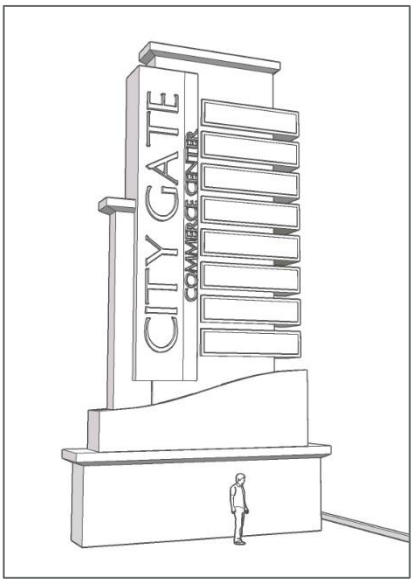
    b. The maximum sign area is twenty-four (24) square feet on parcels up to two (2) acres and thirty-six (36) square feet for parcels over two (2) acres.

7. R-O Zoning District: The maximum sign area is twelve (12) square feet.

a. The base of any freestanding sign shall have an aggregate width of at least fifty (50) percent of the width of the sign.

b. The sign must include the number of the street address, but the area of these numerals shall not be included in calculating the allowed sign area.

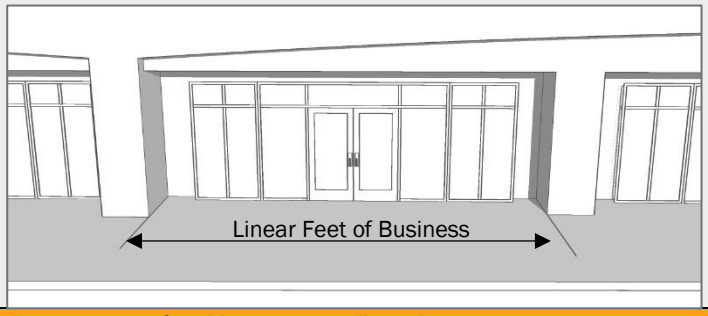
l. Pylon



1. Permit required.
2. Permitted along Loop 101, Loop 303, Northern Parkway, and Grand Avenue only.
3. Maximum height:
   a. Loop 101 and Loop 303: 60 feet
   b. Grand Avenue and Northern Parkway: 20 feet
4. Maximum area:
   a. Loop 101 and Loop 303: 250 square feet
   b. Grand Avenue and Northern Parkway: 125 square feet
5. Minimum street frontage required: 600’
6. One Pylon Sign permitted per 600’ feet of street frontage,
7. Maximum of three (3) Pylon Signs per development along the Loop 101 and Loop 303
8. Maximum of two (2) Pylon Signs per development along Grand Avenue and Northern Parkway.
9. Pylon signs shall incorporate complementary design elements from the development associated with the sign.
10. Illumination shall be limited to internal illumination only.
11. The base shall have an aggregate width of at least fifty (50) percent of the width of the sign.

35.4.311 Building Signs

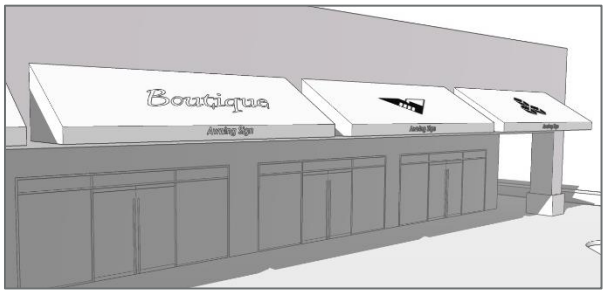
This Section is comprised of permitted Building Signs and their respective regulations. Signs not appearing in this Section shall be considered prohibited.

Table 4.300-5: Total Building Sign Area	
Maximum Total Sign Area Allowed	The maximum total sign area allowed per business having an external business entrance is limited by the size and frontage of the building on which the sign(s) will be placed. The table below shall be consulted to determine the permitted total business signage area by use category or special condition.* Business frontage is determined by the measurement of the portion of the business facing the street or public access driveway or public alley. Multi-story building lineal footage is limited to the ground floor lineal footage measurement except as modified by the subsections below. The individual area of each building sign placed on a building shall be counted towards the total permitted Building Sign area allowance, unless otherwise noted herein. 
Use	**Total Square Feet of Building Signage Allowed**
Single Residence	n/a
Multiple Residence	1.25 square feet per 1 linear foot of leasing office space frontage or 50 square feet, whichever is greater, but in no case more than 60 square feet per multiple residence development.
Professional Office	1.5 square feet per 1 linear foot of business frontage or 50 square feet, whichever is greater. Maximum square feet based on business square footage: 60 sf maximum signage for businesses <5,000 sf; 150 sf maximum signage for businesses 5,000 sf to 20,000 sf; 250 sf maximum signage for businesses 20,000 sf to 40,000 sf; 450 sf maximum signage for businesses >40,000 sf
General Commercial and Public/Semi-Public	2 square feet per 1 linear foot of business frontage or 50 square feet, whichever is greater.** Maximum square feet based on business square footage: 150 sf maximum signage for businesses <20,000 sf; 250 sf maximum signage for businesses 20,000 sf to 40,000 sf;

	450 sf maximum signage for businesses >40,000 sf
Business/Industrial	1.75 square feet per 1 linear foot of business frontage or 50 square feet, whichever is greater.** Maximum square feet based on business square footage: 200 sf maximum signage for businesses <40,000 sf; 350 sf maximum signage for businesses 40,000 sf to 80,000 sf; 500 sf maximum signage for businesses >80,000 sf
* Non-residential uses having only an internal business entrance and no external wall facing a public street or public access driveway or public alley shall be limited to business identification signage on a multi-tenant building wall mounted sign as set forth in subsection 35.4.311.G.9. ** Multi-tenant building, wall mounted signs shall adhere to subsection 35.4.311.G.9.	

A. Awning

1. Permit required.
2. Maximum of twenty-five percent (25%) of each surface area of an awning may be used for signage. A valance is considered a separate surface area.
3. Awning signs shall be mounted within the first story of the structure.



4. Awning signs shall maintain a minimum vertical clearance of nine (9) feet.
5. Awning signs may encroach over a public or private sidewalk, but shall be no closer than four (4) feet from the back of curb. If encroaching over an abutting City right-of-way line, a revocable City encroachment permit or other City granted authorization shall be required.
6. A structural awning is permitted a sign face area attached to and located above the top of the canopy to a maximum height of 24 inches.
7. Structural awnings shall be made of metal or material of similar durability and structural integrity.
8. Awning and canopy signs may be illuminated but lighting shall be installed as external downlighting or backlighting. Only the face area of the letters or graphics may be illuminated.

B. Electronic Reader Panel

1. Permit required.
2. Reader panel signs shall be no closer than one hundred fifty (150) lineal feet from a single-family residential use.
3. Commercial, civic, and institutional uses may have one (1) reader panel sign per building not to exceed thirty-two (32) square feet in area.

4. No reader panel sign affixed to a building, including sign support structure, shall project beyond the ends or top of the wall or higher than the roofline of the structure to which it is attached.
5. The following uses in any district are permitted an electronic sign: cultural facility, educational facility - primary or secondary, educational facility - university or college, government office/facility, park/playground, place of worship.
6. Each message or image displayed on an electronic sign shall be static for a minimum of eight seconds. Electronic signs shall display static text messages only, with no animation or effects simulating animation or video.
7. Scrolling, flashing, animation, or movement of the message or any component of the sign is prohibited. Any message change sequence shall be accomplished immediately by changing from one screen to another without transition effect.

C. Marquee

1. Permit required.
2. Each marquee sign face shall be limited to 32 square feet in area.
3. Marquee signs shall be supported solely by the building to which they are attached. No exterior columns or posts are permitted as supports.
4. Marquee signs shall be erected over a building entrance. The width of a marquee sign is limited to the width of the building entrance with an additional two-foot extension of the marquee sign allowed on each side of the building entrance.
5. All marquee signs shall maintain a minimum vertical clearance of nine (9) feet.
6. Marquee signs may encroach over a public or private sidewalk, but shall be no closer than four (4) feet from the back of curb. If encroaching over an abutting City right-of-way line, a revocable City encroachment permit or other City granted authorization shall be required.
7. Marquees may be internally or externally illuminated.

D. Mural

1. Permit required.
2. No person shall place artwork, mural, graffiti, write, paint or draw any inscription, figure, or mark of any type on any property unless the express permission of the owner or operator of the property has been obtained and a design review waiver and formal approval by the City has been issued.
3. It shall be the responsibility of the owner or operator of property upon which a mural is placed to maintain the appearance of the mural. A mural that is permitted to remain in a condition of disrepair shall constitute a public nuisance.
4. Murals or similar graphic elements which advertise, either directly or implied, the business or services or products sold at the location of the mural shall be deemed signage and shall be regulated accordingly.
5. All murals or other similar forms of visual art shall be placed or painted on the side or rear walls of the building, and not on its primary facade, above its roof line, or on any of its decorative elements.
6. Murals or other strong graphic elements shall be prohibited on privacy or screen walls when visible from the public right-of-way or adjacent property.
7. The installation of a mural should complement and enhance the building or wall and be incorporated architecturally into the character of the area.

8. The location of a mural on a building should not cover or detract from significant or character-defining architectural features.
9. Paint utilized should be intended for exterior use and which will not compromise the integrity of the material to which it is applied. Reflective neon and fluorescent paint should not be used.

E. Place Marker

1. Permit required.
2. Shall not exceed an aggregate area of three (3) square feet and shall be affixed directly to the building generally within ten (10) feet from any entrance.
3. Residence signs: one (1) or more wall signs not to exceed a total aggregate area of three (3) square feet shall be permitted. The sign may include only the name of the residence, the name of the occupant, and the street address.
4. Agriculture signs: One (1) or more wall signs not to exceed a total aggregate area of eight (8) square feet shall be permitted. The sign may include only the name of the farm or ranch and a street address.

F. Skyline

1. Permit required.
2. Skyline signs are permitted only for non-residential structures and multi-family dwellings of 40 feet or more in height in PR and C-3 zoning districts.



3. The maximum area of a skyline sign shall be determined by Table 4.300-5.
4. Skyline signs shall be placed within the top 12 feet of the structure and cannot cover any fenestration or architectural features.
5. Skyline signs may project up to three (3) feet above the roofline or parapet of buildings less than forty (40) feet in height and five (5) feet above the roofline or parapet of buildings forty (40) feet in height or taller. Skyline signs shall be designed to mount to a wall and shall not be primarily supported by structures installed on the roof.
6. If a skyline sign is placed on a building, all other wall signs are prohibited.
7. One skyline sign is permitted per building.
8. Skyline signs shall only be internally illuminated.

G. Wall, Mounted

1. Permit required.

2. Wall signs are permitted on each facade of a structure. On a site consisting of multiple structures, each structure is permitted wall signs per the size and location regulations of this Section.



3. Wall signs may be internally or externally illuminated. If externally illuminated, all light shall be directed onto the sign face and shall be shielded from the public right-of-way and adjacent residential uses.
4. Wall signs shall be safely and securely attached to the building wall.
5. Wall signs shall not project more than 14 inches from a building wall.
6. No wall sign affixed to a building, including sign support structure, shall project beyond the ends or top of the wall or higher than the roofline of the structure to which it is attached.
7. Parapets added to existing buildings for the purpose of attaching signs shall match the architecture of the rest of the building, be of the same thickness, and on the same plane as the wall to which it is added, and no more four (4) feet above the roofline. Additions to a parapet for the purpose of signage cannot be braced back to the roof.
8. Wall signs cannot cover any window, windowsill, transom sill, or architectural feature, such as cornices, of the structure.
9. Multi-tenant building wall mounted identification signs are permitted in the Professional Office, Commercial and Business/Industrial Zoning Districts, subject to the conditions identified below:

    a. The use of a multi-tenant building wall mounted identification sign shall take the place of single business wall mounted signs and shall be counted as a portion of the total allowed building sign area.

    b. The maximum number of multi-tenant signs for each building shall be limited to one (1) sign per street frontage.

    c. The maximum area of the multi-tenant sign shall not exceed the greater of sixty (60) square feet or one and a half (1.5) square feet per lineal foot of combined building frontage for each business, but in no case more than three hundred (300) square feet per multi-tenant sign.

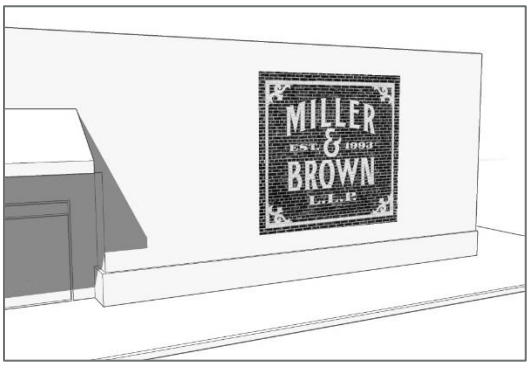
10. In the R-O, C-O, and G-O zoning districts:

    a. These signs shall not exceed a height of fifteen (15) feet.

    b. The maximum sign area permitted per building shall be twenty-four (24) square feet in the R-O and C-O districts and forty-eight (48) square feet in the G-O district. Except, the maximum sign area permitted per building shall be one-hundred (100) square feet in the C-O and G-O districts for any office building which exceeds ten-thousand (10,000) square feet or more and is located on a site with three-hundred thirty (330) lineal feet or more of continuous frontage on an arterial street, and the sign face cannot be seen from residential districts. The maximum sign area per tenant shall not exceed forty (40) square feet on any building elevation.

    c. Such sign may identify the individual businesses, building complex, or center, by name, or street address. Such sign shall not include advertising copy.

H. Wall, Painted

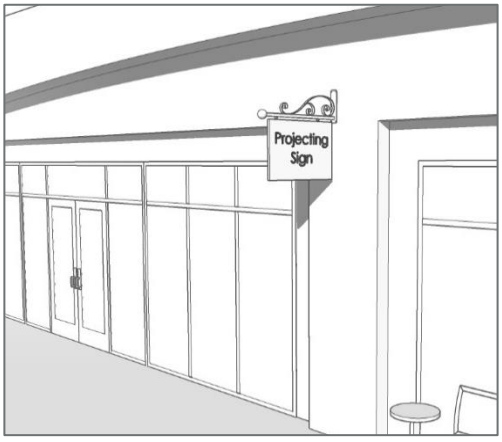


1. Permit required.
2. Signs are permitted for all non-residential uses in any district.
3. Signs are permitted on each facade of a structure.
4. Painted wall signs shall be painted directly on the building's façade.
5. Signs shall not be painted on or obscure architectural features such as windows, doors, pilasters, or cornices.
6. Painted signs shall be applied utilizing exterior weather resistant paint.
7. Signs may be externally illuminated provided all light sources are directed onto the sign face and shall face in a downward direction.
8. Signs shall not project more than 0.25 inches from a building wall.
9. Nothing in this section shall prevent an installer from incorporating their name or other identifying information as part of the painted wall sign.
10. The property owner, or their authorized representative such as the business owner, is responsible for ensuring that a permitted painted wall sign is maintained in good condition and is repaired in the case of vandalism or accidental damage.

I. Wall, Projected

1. Permit required.
2. Signs are permitted for all non-residential uses in any district.
3. Signs must remain static and cannot flash, rotate, or move.
4. No projected wall sign can project an electronic video.
5. Signs shall not glare onto adjacent properties.
6. Signs shall not project past the wall onto which it is projected.
7. Signs shall not be projected over any other sign type.

J. Wall, Projecting

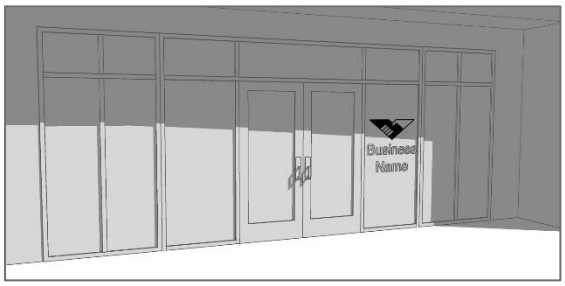


1. Permit required.
2. Projecting signs shall maintain a minimum vertical clearance of nine feet. No projecting sign affixed to a building shall project higher than the building height, including the sign support structure.
3. Projecting signs are limited to a maximum sign area of 5 square feet.
4. Projecting signs may be internally or externally illuminated.
5. Allowed only on the exterior elevation of the space occupied by the business.

6. No more than one (1) projecting sign per business per street or alley frontage. For a corner lot, one projecting sign is permitted for each street frontage.
7. Minimum separation between the sign and the face of the building: 3 inches.
8. Maximum sign projection from the face of the building: 5 feet.
9. Minimum horizontal distance from projecting edge of sign and back of curb, existing or future: 4 feet
10. For one-story buildings:
    a. The top of the sign and supporting framework shall not be higher than the top of the cornice line.
11. For multiple story buildings:
    a. The top of the sign and supporting framework shall not be higher than the top of the second-story windowsills.
12. The sign shall be perpendicular to the building and attached to the bracket on which it is hung so that it will not swing.

K. Window

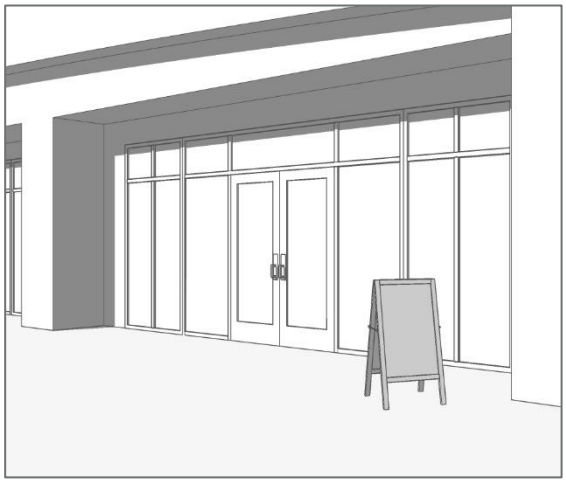
1. No permit required.
2. The area covered by window signs shall not exceed 30% of the exterior window area. Window area is counted as a continuous surface until divided by an architectural or structural element. Mullions shall not be considered such an element.



3. Window signs on required doors shall not exceed 30% of the glass area of the door.
4. Window signs printed on perforated, semi-opaque material shall be counted in the same manner as non-perforated, fully-opaque materials, including paint.
5. Window signs are permitted for all multi-family and non-residential uses and shall be permitted on the ground floor only. Such signs shall not be permitted on individual multi-family tenant windows.
6. Window signs affixed directly to a window shall not be illuminated.
7. Signs placed within a building a manner that the intent of the placement is to be viewable from the public right-of-way shall be considered a window sign and shall be subject to the regulations of this Section.

35.4.312 Temporary Signs

A. A-Frame



1. No permit or registration required.
2. One (1) sign per business or tenant shall be allowed.
3. A-frame signs are limited to six (6) square feet in area per side and three and a half (3.5) feet in height.
4. Signs shall be located within ten (10) feet of the entrance to the individual building or tenant space for which they advertise, but shall not be located in front of an adjacent business or business within the same complex or within 40-feet of the face of curb at a signalized intersection or within 30-feet of an unsignalized intersection or driveway sight visibility triangle.
5. Signs may be placed within the right-of-way in the Centerline Overlay District only, but shall not be located within a roadway median or traffic circle, Unless it is part of an approved comprehensive sign program.
6. Signs shall not interfere with vehicular or pedestrian traffic movement or violate standards of accessibility as required by the Americans with Disabilities Act (ADA) or other accessibility codes. A minimum five-foot clearance for all sidewalks or similar pedestrian passageways shall be maintained.
7. A-frame signs shall not be placed in or on vehicles.
8. The placement of A-frame signs outdoors is limited to business hours only and shall be stored indoors during non-business hours.
9. Illumination of A-frame signs is prohibited.
10. Signs shall be kept in good condition and shall not be hand-painted nor made of non-durable materials which succumb to the effects of the desert climate.

B. Banners

1. In single and multiple residence districts, banners are not permitted on sites with individual dwelling units. Banners for holidays and special family events are excepted.
2. All banners are limited to a maximum display period of 14 consecutive days per occurrence and limited to six (6) events per calendar year. There shall be a minimum of ten days between display periods. All banners shall be removed within three (3) days of the occurrence. The maximum display period may be extended for temporary businesses or to supplement permanent signs under repair or replacement.

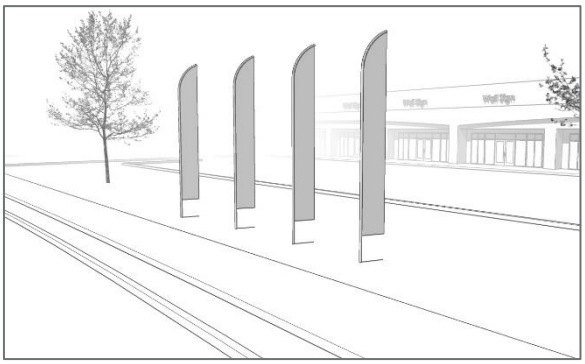


3. Registration with the City shall be required for each occurrence. Registration shall include business name, address, responsible party, start and end date for display, and date of display removal.
4. One (1) banner per establishment shall be permitted. For multi-tenant developments, one (1) banner for each tenant shall be permitted.
5. Banners shall be limited to 32 square feet in area and shall not extend above a second-floor roofline or parapet. Under no circumstance shall a banner be placed 30 feet above grade.
6. Banners shall be securely attached to a building wall and shall not be attached to light poles or landscape materials.
7. Banners for public/semi-public uses in all districts where allowed may also be ground-mounted between two or more posts, and shall not be located closer than 10 feet from the edge of the pavement of any roadway or alley, or within any public rights-of-way.
8. Banners shall be made of canvas, canvas-like material, nylon, vinyl-coated fabric, or similar weatherproof type materials.

C. Downtown Promotional Banners

1. No permit or registration required.
2. Banners may be used only to identify city-authorized special events within the downtown. They shall not be used to identify or advertise individual businesses, sales, products, or services.
3. There shall be one banner permitted for each business. The banner shall be mounted on the building or within a display window.
4. The banner may be displayed from a pole located perpendicular to the building. The minimum clearance between the bottom of the pole and the nearest grade or sidewalk shall be seven (7) feet, six (6) inches.
5. The banners shall be made of cloth, nylon, or similar material.
6. The banner shall not exceed six (6) square feet in size.
7. The banners shall be allowed for a maximum of forty-five (45) consecutive days, no more than four (4) times per year.
8. There shall be a minimum of fifteen (15) days between each special event.
9. Downtown promotional banners shall be limited to the area described as follows: starting at the southeast corner of Myrtle Avenue extending south along 59th Avenue to Grand Avenue, then southeast along Grand Avenue to Lamar Road, then east along Lamar Road to 56th Avenue, then north along 56th Avenue to Palmaire Avenue, then west to the alley between 56th Avenue and 55th Avenue, then north to Myrtle Avenue, and then west to the southeast corner of 59th Avenue and Myrtle Avenue.

D. Feather / Swooper Flags



1. All feather / swooper flags are limited to a maximum display period of 14 consecutive days per occurrence, limited to six (6) occurrences per calendar year. There shall be a minimum of ten days between display periods. All banners shall be removed within three (3) days of the occurrence.
2. Registration with the City shall be required for each occurrence. Registration shall include business name, address, responsible party, start and end date for display, and date of display removal.
3. Limit one (1) per 30 linear feet of street frontage or a maximum of six (6) per development, whichever is less.
4. Maximum flag area: 32 square feet
5. Maximum flag height: 12 feet
6. Flags shall be placed no closer than eight (8) feet from the back of curb and shall not overhang a public sidewalk.
7. Flags shall not be placed in the public right-of-way, public access easement, driveway, or drive aisle.

E. Inflatables

1. Inflatable structures are limited to a maximum display period of 14 consecutive days per occurrence, limited to six (6) occurrences per calendar year. There shall be a minimum of ten days between display periods. All inflatables shall be removed within three (3) days of the occurrence.
2. Registration with the City shall be required for each occurrence. Registration shall include business name, address, responsible party, start and end date for display, and date of display removal.
3. Inflatable shall be placed no closer than the height of the inflatable from the back of curb and shall not overhang a public sidewalk or roadway.
4. Inflatables shall not be placed in the public right-of-way, public access easement, driveway, or drive aisle unless specifically approved through a Special Event Permit.
5. Inflatables shall be secured to the ground or a building. Tethering to landscape materials, light poles, or vehicles shall be prohibited.

F. Political Signs

1. No permit or registration required.
2. Signs shall not be located within 40-feet of the face of curb at a signalized intersection or within 30-feet of an unsignalized intersection or driveway sight visibility triangle.
3. One (1) sign for each candidate or measure shall be permitted for each street frontage.
4. Within the agricultural and residence districts, the maximum sign area shall be sixteen (16) square feet, and the maximum height shall be five (5) feet.
5. Within the office, commercial, and industrial districts, the maximum sign area shall be thirty-two (32) square feet, and the maximum height shall be eight (8) feet.

6. The person, party, or organization responsible for the erection or distribution of such signs shall remove them within fifteen (15) days after the specific election to which they refer.
7. Such signs shall be placed only with the property owner's permission.
8. Such signs may be placed in the public right-of-way; however, no such signs shall block any portion of a sidewalk or similar pedestrian accessway or be placed within the center medians that divide portions of paved roadways.
9. For additional regulations related to political signs please refer to Arizona Revised Statutes §16-1019 and §33-1808.

G. Sign Walker

1. No permit or registration required.
2. If within a right-of-way, a sign walker shall be positioned behind the curb and on a sidewalk if present or, if no curb or sidewalk is present, 10 feet behind the edge of the pavement.
3. Sign walkers shall not erect or place tents, temporary structures, umbrellas, chairs, or stools within the public right-of-way or adjacent property.
4. Sign walkers shall not be positioned to obstruct vehicle sight lines.
5. Sign walkers shall not obstruct the free movement of pedestrians on sidewalks.
6. Sign walkers shall not stand in the medians or traffic circles of public streets.
7. The sign worn, held, or balanced by a sign walker shall be a maximum of five (5) square feet in size and may be double sided.

H. Pennants

1. No permit or registration required.
2. Pennants shall be displayed for up to a 15-day period, four (4) times per calendar year.
3. Pennants shall be placed no closer than eight (8) feet from the back of curb and shall not overhang a public sidewalk.
4. Pennants shall not be placed in the public right-of-way or public access easement.
5. Pennants shall be secured to the ground, a building, or on-site light poles. Tethering to landscape materials or vehicles shall be prohibited.

35.4.313 Miscellaneous Signs

A. Flag, Commercial

1. Permit required.
2. Maximum flagpole height: 60 feet.
3. Maximum duration: Up to three (3) years for temporary flagpoles within model home complexes.
4. One commercial flag is permitted per development.
5. Commercial flags are limited to a maximum area of 12 square feet in area.
6. Commercial flags shall only be mounted by a mast arm flagpole that extends at an angle from a building. Such flags shall not extend into the right-of-way measured when the flag is fully extended perpendicular to the post.

7. Commercial flags shall not be illuminated.

B. Flag, Non-Commercial

1. No permit required.
2. Maximum flagpole height: 60 feet.
3. Maximum duration:
4. Up to three (3) years for temporary flagpoles within model home complexes.
5. Non-commercial flags shall not affect visibility or create any safety hazards or concerns.
6. Permanent ground-mounted flagpoles shall be installed with proper underground footings and support elements.
7. Display of non-commercial flags shall be in accordance with all applicable State and Federal regulations and codes.
8. The maximum area of non-commercial flags shall be as follows:

FLAGPOLE HEIGHT	MAXIMUM FLAG SIZE
Up to 24 feet	24 square feet
25 to 39 feet	40 square feet
40 to 49 feet	60 square feet
50 to 60 feet	96 square feet

9. There shall be no more than three flagpoles allowed per street frontage.
10. Flags may be flown individually or on separate flagpoles.
11. Building-Mounted Flagpoles: For single-residence uses, up to three non-commercial flags may displayed from building-mounted flagpoles provided no flag exceeds 18 square feet in area and no flagpole exceeds eight (8) feet in length.
12. For the purposes of this code, products such as pleated fans or similar items resembling a common non-commercial flag shall not be considered a flag and shall be regulated as signage.

C. Subdivision Advertising and Directional

1. Permit required.
2. A master sign package for each development including the type, number, size, location, materials, and colors of the various signs shall be approved by the Planning Department prior to the issuance of a permit for any sign authorized under this subsection.
3. On-Site Signs

   a. One (1) sign shall be permitted at each major entry with a maximum of four (4) signs per subdivision.

   b. The maximum aggregate area of all signs shall be one hundred sixty (160) square feet.

   c. The maximum height shall be fifteen (15) feet.

   d. The edges of the sign shall be boxed.

e. No sign permits shall be issued until a preliminary plat has been approved by the City.

f. Upon expiration of a preliminary plat, if no final plat is approved, all signs must be removed within ten (10) days.

g. Such signs may be maintained until ninety-five (95) percent of the lots in the subdivision are sold or the sales office closes, whichever occurs first.

h. Such signs shall not be located within fifty (50) feet of any property line of an existing residence.

4. Subdivision Flags

   a. A maximum of fifteen (15) flags per subdivision are allowed.

   b. The area of each flag shall not exceed six (6) square feet.

   c. The maximum height of any flag shall be twenty-five (25) feet.

   d. There shall be a minimum distance of twenty (20) feet between flags.

   e. All flags shall be placed within the boundaries of the subdivision with the permission of the property owner, if this is other than the developer.

   f. The flags may be maintained until ninety-five (95) percent of the lots in the subdivision are sold or the sales office closes, whichever occurs first.

5. Off-Site New Subdivision Signs

   a. Such sign must be located within one (1) mile of the subdivision, on vacant property, with the written permission of the property owner.

   b. A maximum of two (2) signs are permitted for each subdivision located on an arterial street. Each sign shall have a maximum area of thirty-two (32) square feet and a maximum height of eight (8) feet.

   c. Such signs may be maintained until ninety-five (95) percent of the lots in the subdivision are sold or the sales office closes, whichever occurs first.

6. Off-Site New Subdivision Lead-In Signs

   a. Sign permits are established for each subdivision on an annual basis. The applicant must submit a site plan showing all locations of proposed signs. Any changes to the location of the signs must be approved by the City.

   b. A maximum of eight (8) signs per subdivision.

   c. Signs shall not exceed a maximum sign area of four (4) square feet.

   d. Signs may not be installed before 4:00 p.m. on Friday, and must be removed before 8:00 a.m. on the following Monday, except when a legal holiday occurs on a Monday, signs must be removed by 8:00 a.m. on the following Tuesday.

   e. Signs will have the name and telephone number of the sign company, or if no sign company is designated by the builder/developer to distribute the signs, the builder/ developer's, name shall be placed on the back side of the sign with a contact and telephone number.

f. No sign shall be allowed in any public right-of-way.

g. No sign shall be located within fifty (50) feet of another sign.

h. No sign shall be attached to any roadway or natural feature including light, signal poles, street or regulatory signs, bridges, trees, or other existing facilities.

i. Signs shall not exceed a vertical height of three (3) feet.

j. Signs must be limited to not more than one (1) mile from the subdivision identified.

k. Signs shall not be installed on private property unless written authorization of such installation is provided to the city at the time of permit application.

D. Construction and Development

1. Permit required.
2. Temporary ground signs are permitted for lots currently under construction in all districts.
3. Shall not be placed in a public right-of-way.
4. Signs located on single-family detached or duplex construction lots are limited to six square feet in area. An additional rider sign not exceeding a total of two square feet in sign area is allowed.
5. Signs for all other types of construction lots cannot exceed 64 square feet in sign area.
6. Signs shall be located on the construction lot.
7. One sign is permitted per street frontage.
8. Signs shall be removed within seven days after expiration of the building permit.
9. One (1) non-illuminated sign is allowed on the construction site with a maximum area of thirty-two (32) square feet and a maximum height of eight (8) feet.
10. If building permits have not been issued within six (6) months after issuance of the sign permit, the sign shall be removed and any new construction and development sign for substantially the same project at the same location will be approved only after a building permit for the project has been issued by the City.
11. Such sign shall be removed prior to the issuance of a Certificate of Occupancy for the site.

E. Light Pole Banner

1. Light poles located entirely on private property are permitted to mount banners in all districts. Light pole banners shall not be used as a temporary off-premise advertising sign.
2. Light pole banners are limited to a maximum area of 15 square feet.
3. Light pole banners shall maintain a minimum vertical clearance of 12 feet from grade to the bottom of the banner.

F. Weekend Directional Sign

1. No permit required.
2. Each sign shall have a maximum area of three (3) square feet and a maximum height of three (3) feet.
3. Such signs shall not be allowed for more than nine (9) hours per day.

4. Such signs may be placed in the public right-of-way; however, no such signs shall block any portion of a sidewalk or similar pedestrian accessway or be placed within the center medians that divide portions of paved roadways.
5. No painting or stencils advertising an event on a paved roadway will be permitted.

G. Yard Signs

1. No permit required.
2. Shall not be placed in a public right-of-way.
3. One (1) non-illuminated sign pertaining only to the property on which it is located shall be permitted for each street frontage. However, properties having a continuous frontage of 850 linear feet or more shall be allowed an additional sign so long as such sign is no closer than 850 feet from another sign on the property.
4. A maximum of two (2) signs shall be permitted per parcel, except as allowed in subparagraph (2) above.
5. Agricultural and Residence Districts.

    a. Vacant Land:

        i. Less than five (5) acres: Each sign shall have a maximum area of six (6) square feet and a maximum height of five (5) feet.

        ii. Five (5) acres or more: Each sign shall have a maximum area of thirty-two (32) square feet and a maximum height of eight (8) feet.

    b. Developed Land:

        i. Each sign shall have a maximum area of twelve (12) square feet and a maximum height of six (6) square feet.

        ii. Signs located on individual single-family detached and duplex lots under three acres in size, or individual units within attached housing are limited to six square feet. Additional rider signage not exceeding a total of two square feet in sign area is allowed.

6. Office, Commercial, and Industrial Districts.

    a. Vacant land:

        i. Each sign shall have a maximum area of thirty-two (32) square feet and a maximum height of eight (8) feet.

    b. Developed Land:

        i. Each sign shall have a maximum area of twelve (12) square feet and a maximum height of six (6) feet.
7. Signs for other lots or structures for sale, lease, or rent cannot exceed 64 square feet in sign area.
8. Signs shall be removed within seven days after an event concludes or sale is closed or rent or lease transaction is finalized.

35.4.314 Comprehensive Sign Program

The purpose of a Comprehensive Sign Program (CSP) is to provide flexibility for all signs to be placed within a development. Signs within a CSP must be consistent in the project's design theme, overall scale, color and materials palette, and have placement controls within the development.

A. Application Procedures and Requirements

Comprehensive Sign Programs shall be submitted to the Development Services Department for administrative review. City staff will forward a recommendation to the Planning Commission for consideration. The Planning Commission may approve, approve with conditions, or deny the request. Decisions made by the Planning Commission shall be considered final. Public notice for Planning Commission hearings associated with Comprehensive Sign Programs is required as stated in Article 6 Administration and Procedures of the City of Glendale Unified Development Code.

A Comprehensive Sign Program shall specify the sign types, locations, quantities, and sizes of all signs to be used on the property. The materials, methods of illumination, and graphic standards must also be defined. Parameters for deviations from standard Building, Site, and Temporary sign requirements are provided in the table below. Deviations from signs within the Miscellaneous sign category are not permitted through a Comprehensive Sign Program.

Sign Category	Permitted Deviation
Site Signs, area	Up to 50% increase per sign
Site Signs, number	Up to 2x the permitted number of signs
Building Signs, area	Up to 50% increase
Temporary Signs, area	Up to 50% increase per sign
Temporary Signs, number	Up to 2x the permitted number of signs

A Comprehensive Sign Program shall include deviations from requirements for five (5) or more standard sign types in order to be considered comprehensive. Applicants seeking deviations from fewer than five (5) sign type regulations may do so through the Variance process as defined in Section35.6.209 of the Unified Development Code.

An approved Comprehensive Sign Program shall determine the physical limits for which the sign program is approved and shall define all design and procedural standards that shall apply within that boundary. All permits for any sign applied for within that boundary shall conform to the CSP as approved, or as subsequently amended. Where a CSP is silent on a given topic, the City's current sign code regulations shall apply.

B. Required Findings

The Planning Commission shall make the following findings before approving a CSP:

1. The proposal will result in improved identification of tenants within the center.
2. The proposal minimizes, to the greatest extent possible, the requested non-conformity from existing sign standards while improving the design quality of the signage for the project.
3. The height, location, materials, color, texture, area, setbacks, and mass of the signs will enhance the character of the development.
4. The design and scale of the comprehensive sign package will not have any adverse effect on adjacent properties or the surrounding neighborhood.

C. Comprehensive Sign Program Amendments

1. Minor Amendment.

a. A minor amendment to an approved Comprehensive Sign Program (CSP), may be approved by the Development Services Director or designee. Minor amendments are considered to represent modifications which do not alter the overall characteristics of the existing CSP and which create no adverse impacts on adjacent uses, infrastructure, or public safety. Examples of minor amendments include, but may not be limited to the following:

   i. Changes in the location of a sign or signs.

   ii. Reduction in the number of signs or overall sign square footage.

   iii. Increases in the total number of signs, provided the aggregate square footage of the CSP remains unchanged.

   iv. Redistribution of sign square footage provided the aggregate square footage of the CSP remains unchanged.

   v. Modifications to the approved colors or materials of signs provided they are not beyond the character, theme, or palette of the overall development.

   vi. Applications for CSP minor amendments shall be filed, in writing, with the Development Services Department, using official Department forms and shall be accompanied by applicable fees and supporting documents.

   vii. The Development Services Director or designee may approve the request if it is determined that the proposed amendment is, in fact, minor as defined Section 35.4.314.A.1.a above.

2. Major Amendment.

   a. A major amendment to an approved Comprehensive Sign Program (CSP), shall be approved by the Planning Commission. Major amendments are considered to represent modifications which alter the overall characteristics of the existing CSP, including new or increased adverse impacts on adjacent uses or public infrastructure. Examples of major amendments include, but may not be limited to the following:

      i. Increases in the aggregate square footage of sign allowances.

      ii. Introduction of new sign types regardless of changes to the number of signs or aggregate square footage of signs.

      iii. Increases in permitted sign height.

      iv. Decreased separation between illuminated signs and nearby residential uses or increased visibility of signage from nearby residential uses.

      v. Changes in the colors or materials of signs which alter the overall character of the CSP or that are beyond the character, theme, or palette of the overall project.

      vi. Applications for CSP major amendments shall be filed, in writing, with the Development Services Department, using official Department forms and shall be accompanied by applicable fees and supporting documents. The subject property shall be posted and surrounding property owners shall be notified in accordance with the public notice requirements for Planning Commission hearings associated with Comprehensive Sign Programs as stated in Article 6 Administration of the City of Glendale Unified Development Code.

      vii. The Development Services Director or designee, shall review the major amendment request, prepare a written recommendation, and forward that recommendation to the Planning Commission for consideration. The Planning Commission may approve, approve with conditions, or deny the request. Decisions made by the Planning Commission shall be considered final.

35.4.315 Sign Enforcement

A. Inspections and Investigations

1. The Development Services Director or designee may periodically inspect signs in order to determine whether there are any violations of this Ordinance.

2. The Development Services Director or designee has the power to conduct such investigations as it may reasonably deem necessary to carry out its duties as prescribed in these regulations, and for this purpose to enter at reasonable times upon any property, public or private, for the purpose of investigating and inspecting signs. No person shall refuse entry or access to the Zoning Administrator or their designee who requests entry for purposes of inspection, and who presents appropriate credentials, nor shall any person obstruct, hamper, or interfere with any such representative while in the process of carrying out his official duties.

3. The Development Services Director or designee may require written statements, or the filing of reports with respect to pertinent questions relating to signs.

B. Citations

1. If, through inspection, it is determined that a person has failed to comply with the provisions of these regulations, the Development Services Director or designee shall issue a warning citation to the violator. Violations shall be corrected within ten days of the issuance of such citation. If the violation is not corrected within the specified time period, the violator is subject to Section 35.7.000 of this Ordinance.

35.4.400 OUTDOOR LIGHTING

This Section establishes the requirements for artificial outdoor lighting and light sources. These requirements include the installation, materials, and shielding standards.

35.4.401 Intent

This Section is intended to restrict the permitted use of outdoor artificial illuminating devices, control light trespass, minimize the detrimental effect artificial outdoor lighting has on astronomical observations and encourage good lighting practices such that lighting systems are designed to conserve energy and costs, while providing for nighttime safety, utility, security and productivity.

35.4.402 Applicability

A. Outdoor lighting fixtures, in any district, shall be located and shielded to prevent light from shining or reflecting onto adjacent properties. In cases of interpretations of compliance with this provision, such lighting shall be located, shielded or adjusted in intensity to be in conformance with this Section.

B. All artificial outdoor illuminating devices shall be installed in conformance with the provisions of this Section and any building code in effect at the time of permitting and installation.

C. If any provision of this Section conflicts with any other Section of this Code or any other ordinance of the City, the provisions of this Section shall govern.

35.4.403 Approved Materials, Installation; New Technology

A. The provisions of this Section shall not prevent the use of any alternate material or method of installation not specified in this Section, or new lighting technology. The alternate must be approved by the City Engineer prior to its use within the city.

B. The City Engineer may approve an alternate material or method of installation or new lighting technology provided such material, method or technology:

1. Provides approximate equivalence to those specific requirements of this Section; or
2. Satisfactorily complies with the intent of this Section.

35.4.404 General Requirements

A. All outdoor illuminating devices, except those exempt from this Section (Section 35.4.406 Exceptions), shall be shielded as set forth below:

1. High pressure sodium, metal halide, fluorescent, tungsten, halogen, incandescent and mercury vapor type lamp fixtures shall be fully shielded.
2. Fluorescent type lamp fixtures used to illuminate outdoor advertising signs shall be mounted at the top of the sign structure and shall be partially shielded.
    a. A filter shall be used for all metal halide, fluorescent and mercury vapor type lamp fixtures.
    b. Other types of lamp fixtures not specified in this Section, and not specifically exempt from this Section (Section 35.4.406 Exceptions) shall be shielded and/or filtered as determined by the City Engineer.
3. Parking lots and other similar portions of a property shall be illuminated to promote a safe pedestrian and vehicular circulation and protection of property. Parking lot light poles shall be limited to twenty-five (25) feet in height and fifteen (15) feet in height when closer than thirty (30) from a single-family residential use.
4. All lights, parking lot or building-mounted, shall be shielded when within thirty (30) feet of a single-family residential use.
5. Building entrances and outside seating areas shall be illuminated with LED lighting not to exceed 120 lumens.
6. Up-lighting for landscaping, building façades further than one-hundred feet from a residential use, and other similar site elements may be up-lighted with LED light sources not to exceed 80 lumens.
7. Federal and state flags may be up-lighted using LED light sources that are adequate for illuminating a flag after sundown. The light source shall not to exceed 500 lumens. If 500 lumens does not adequately illuminate the subject flag, the light source may be located on the flagpole, but shall be screened to prevent visual access to the light source.
8. Non-residential properties shall not exceed 1.0 foot-candles of illumination at the property line.
9. Residential properties shall not exceed. 0.5 foot-candles of illumination at the property line.
10. Sport court lighting in all residential districts shall be limited to fifteen (15) feet in height, shielded, and shall meet all principal building setbacks. Arenas or other similar uses in the Agricultural and Rural Residential districts shall be limited to twenty (20) feet in height, shielded, and shall meet all principal building setbacks.

11. For the purposes of this Code, outdoor lighting is for the safety of persons and property first, then for architectural theming and enhancement of the urban form. Lighting for the purpose of, or for the effect of, attracting attention, shall be prohibited.

35.4.405 Specific Outdoor Light Fixtures

A. Except for emergency purposes, no person shall operate a search light within the City without obtaining a permit to do so from the City. No search light shall be operated between the hours of 11:00 p.m. and sunrise.

B. No shielded fixture, fully or partially, shall be directed upward toward the sky.

C. No outdoor recreational facility, public or private, shall be illuminated after 11:00 p.m. by lighting fixtures which do not comply with the provisions of this Section, except to conclude a recreational or sporting event or other activity in progress prior to 11:00 p.m.

D. Low wattage, unshielded lighting devices shall not be installed in a manner which will direct light into adjacent properties. Flood and spot lights shall be aimed so the high beam of the light does not exceed a point on the ground adjacent to the structure supporting the flood or spot light, the distance of said point from the structure being equal to the height of the flood or spot light above the ground.

35.4.406 Exemptions

The shielding and filtration requirements set forth in Section 35.4.404 shall not apply to the following:

A. Low pressure sodium fixtures.

B. Outdoor lighting fixtures installed prior to the effective date of this chapter [January 1, 1987]. However, such fixtures, when exempted, shall be extinguished, either automatically or manually, between 11:00 p.m. and sunrise. Street lights and parking lot lights installed prior to the effective date of this chapter are not required to be extinguished between 11:00 p.m. and sunrise.

C. Fossil fuel light, produced directly or indirectly by the combustion of natural gas or other utility-type fossil fuels.

D. Incandescent fixtures of one hundred fifty (150) watts or less, and other sources of seventy (70) watts or less. Tungsten halogen lamps are not considered an incandescent light source for purposes of this exemption.

E. Airport navigational lighting systems.

F. Outdoor advertising signs of the type constructed of translucent material and wholly illuminated from within.

G. Temporary outdoor seasonal holiday lights not exceeding 200 lumens.

H. Thematic lighting for special districts, such as the Centerline Overlay District.

35.4.407 Procedures for Compliance with this Chapter

A. Applications. Any individual applying for an electrical, building or use permit and intending to install outdoor lighting fixtures shall, as a part of said application, submit evidence to the city engineer that the proposed work will comply with the provisions of this chapter.

B. Contents of application or submission. The submission shall contain, but shall not necessarily be limited to the following (all or part of which may be part of or in addition to the information required elsewhere in the zoning regulations upon application for the required permit):

1. Plans indicating the location of the outdoor lighting fixture(s) on the premises and the type of illuminating devices, fixtures, lamps, supports, and other devices intended to be used.
2. Description of the illuminating devices, fixtures, lamps, supports and other devices, etc. This description shall include, but is not limited to, manufacturers' catalog cuts and/or drawings (including sections where required) and shall include detailed photometric data.
3. These plans and descriptions shall be sufficiently complete to enable the city engineer to determine whether compliance with the requirements of this chapter will be secured. If the city engineer is unable to make such a determination from the plans and descriptions, he may request the applicant to submit evidence of compliance by certified test reports as performed by a recognized testing laboratory. All test reports shall comply with procedures established by the American National Standards Institute (ANSI) and the Illuminating Engineering Society of North America (IES) for testing of luminaries.

35.4.408 Violations

A. A violation of this Section shall be a civil infraction and a fine of three hundred dollars ($300.00) a day shall be imposed for each day the violation exists after expiration of the abatement period provided for in this Section.

B. When a violation of this Section is discovered by the City, a notice of violation shall be served upon, or sent by certified mail to, the owner, lessee or other person in control of the premises. The notice shall specify the nature of the violation and shall order the responsible party to abate the violation within thirty (30) days after receipt of the notice.

35.4.409 Effective Date; Application; Non-Conforming Devices

A. The provisions of this Section shall become effective on January 1, 1987.

B. Outdoor light fixtures installed prior to January 1, 1987, shall not be altered, replaced, relocated or recreated unless brought into compliance with this Section. This provision shall not apply to reasonable and normal repairs and maintenance to the fixtures which are necessitated by ordinary wear, weather or accident. In addition, no change in use, replacement, structural alteration or restoration shall be permitted for any fixture which has not been used for a period of twelve (12) consecutive months, unless it is brought into compliance with this Section.

ARTICLE 5 - SUBDIVISIONS

[RESERVED]

ARTICLE 6 - ADMINISTRATION & PROCEDURES

This Article describes the organization, powers, and duties of the entities responsible for the administration of this UDC as well as identifies the types of permits, approvals, and processes which are required as part of this UDC.

35.6.000 ADMINISTRATION

35.6.001 City Council

The City Council is the governing body of the City as established in the Glendale City Charter.

A. Powers. The City Council shall have the following powers and duties relating to the administration and enforcement of the Unified Development Code:

1. Act as the review and decision-making body on all specified planning matters as outlined in this Article or by state law; and
2. Take such other action not expressly delegated exclusively to the Development Services Director, the Planning Commission, the Board of Adjustment, or Historic Preservation Commission as the City Council may deem desirable and necessary to implement the provisions of this Article.

35.6.002 Planning Commission

A. Purpose. The Planning Commission provides analysis and recommendations to the City Council related to the City's General Plan, zoning, ordinance amendments, subdivisions, conditional use permits, and other matters affecting land use, and development within the City.

B. Organization. The Planning Commission shall consist of no less than five (5) nor more than seven (7) members appointed by the City Council. Each member shall be appointed for a term of two years. In the event of the death or resignation of a member, the vacancy may be filled for the unexpired term. The members of the Planning Commission shall serve without compensation. Change of residence from the City by a member shall create a vacancy on the Planning Commission.

C. Officers. The City Council shall select a Chairman of the Planning Commission who shall serve as Chairman for a term of one (1) year, and who shall preside at all meetings and be the head of the Planning Commission. The City Council shall select for a one (1) year term, a Vice-Chairman to act in the absence of the Chairman. The Development Services Director or designee shall act as Secretary to the Planning Commission, whose duties will be to record accurate minutes of the proceedings and any such other duties as may be assigned by the Planning Commission.

D. Rules.

1. The Planning Commission shall adopt guidelines to establish rules and regulations for its governance consistent with the laws of this state, this ordinance and with the City Charter;
2. The Planning Commission shall meet at least once a month at such time and place as may be fixed by the Planning Commission;
3. Planning Commission members shall be subject to all applicable conflict of interest provisions of State law and the City Charter; and
4. A quorum consisting of four (4) members shall be present in order to conduct business. A concurring vote of the majority of the appointed members present shall be required to approve or deny a motion on any public hearing item.

E. Powers. The Planning Commission shall have all the powers which are now or may hereafter be given it by the general laws of the state and ordinances of the City to include at a minimum:

1. To hear requests for amendments of the text or official zoning map and recommend approval, denial, or approval with conditions to the City Council;
2. To hear requests and approve or deny conditional use permits as required by this ordinance;
3. To prescribe conditions or stipulations for any conditional use permit or amendment to this Zoning Ordinance as may be required to carry out the provisions and intent of this ordinance;
4. To hear appeals from any decision made by the Development Services Director or designee resulting from the design review process;
5. To hear requests to amend the General Plan text or maps and recommend approval, denial, or approval with changes to the City Council;
6. To exercise powers of the Airport Zoning Commission pursuant to Arizona Revised Statutes, Section 28-8461, et seq.;
7. To make recommendations to City Council on the City's Capital Improvement Plans;
8. To hear requests for design review approval on certain freestanding identification signs as provided by Section 35.4.300 of this ordinance.

F. Recommendations in Writing. All recommendations made to the City Council by the Planning Commission shall be submitted in writing. A report of all business conducted by the Planning Commission shall be forwarded to City Council in the form of minutes of all regular business meetings and hearings.

G. Expenditure. The Planning Commission shall have no authority to make expenditure on behalf of the City or to obligate the City for payment of any sums of money, except as herein provided, and then only after the City Council shall first authorize such expenditure.

35.6.003 Board of Adjustment

A. Purpose. The Board of Adjustment is a quasi-judicial body created to hear requests for relief from the terms of this ordinance and to hear and decide appeals from decisions of the Development Services Director or designee.

B. Organization. The Board of Adjustment is hereby created and shall be composed of not less than five (5) nor more than seven (7) members who shall be residents of the City and who shall serve without pay. Each member of the Board of Adjustment shall be appointed by the City Council for a period of two (2) years. In the event of the death or resignation of a member, the vacancy may be filled for the unexpired term. Change of residence from the City of a member shall create a vacancy on the Board of Adjustment.

C. Officers. The City Council shall select a Chairman from among the members of the Board of Adjustment who shall serve as such Chairman for a term of one (1) year and who shall have the power to administer oaths and take evidence. The City Council shall select a Vice-Chairman for a one (1) year term to act in the absence of the Chairman. The Development Services Director or designee shall act as Secretary to the Board of Adjustment, whose duties are to keep accurate minutes of all proceedings and all other duties as maybe assigned by the Board of Adjustment.

D. Rules.

1. The Board of Adjustment shall adopt guidelines to establish rules of procedure for its governance consistent with provisions of this ordinance, laws of this state and the City Charter.

2. A quorum consisting of four (4) members shall be present in order to conduct business. A concurring vote of a majority of the appointed members present shall be required to reverse any order or decision of the Development Services Director being appealed to the Board, or to approve or deny a request for a variance from the terms and conditions of this ordinance.

3. Board of Adjustment members shall be subject to all applicable conflict of interest provisions of State law and the City Charter.

E. Powers. The Board of Adjustment shall have all the powers which are now or may hereafter be given it by the general laws of the State and the ordinances of the City including, but not limited to:

1. Hearing and deciding appeals from any decision or interpretation made by the Development Services Director or designee, except as otherwise provided in the administration and enforcement of this Code;

2. Interpreting on appeal or on its own motion, the location of any district boundary line shown on the official zoning map of the City;

3. Hearing and deciding requests for variances from the terms of this ordinance because of special circumstances applicable to a property, including its size, shape, topography, location, or surroundings, where the strict application of this ordinance would deprive such property of privileges enjoyed by other properties in the same zoning district;

4. Prescribing any conditions or stipulations for any variance or appeal as it may deem necessary to fully carry out the provisions and intent of this ordinance and which will assure that the adjustment authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other similarly situated or zoned properties. Such conditions may include, but not be limited to, a period of time for the applicant to carry out the terms of a variance or appeal;

5. To exercise powers of the Airport Board of Adjustment pursuant to Arizona Revised Statutes, Section 28-8473, et seq.

F. Ex Parte Contact. Any board member who reviews written communications or engages in verbal communications which are not part of the Board of Adjustment record shall disclose such communication at the time of the public hearing.

35.6.004 Historic Preservation Commission

A. Purpose. The Historic Preservation Commission shall work with the Planning Commission and City Council on matters of historic preservation; take the initiative in bringing people together on historic preservation issues; review proposed alterations to historic properties, historic districts and archaeological resources through the Certificate of Appropriateness process; and develop, maintain and from time to time amend, a plan for historic preservation in the City. The Historic Preservation Commission shall survey historic properties including archaeological resources, recommend to the Planning Commission and City Council designations for Historic Preservation Districts, initiate designations for historic preservation districts and amendments, and establish guidelines for evaluation of historic properties, including archaeological resources; provide public information and education on preservation, coordinate resources and provide technical assistance, promote revitalization of the City through preservation, and make recommendations to the Planning Commission, City Council and citizens of the City regarding historic preservation. The Commission may also confer with other City, county, regional, state and national

historic preservation boards and commissions. The Commission shall initiate plans for the restoration or rehabilitation of privately owned buildings and the preservation of archaeological resources. The Commission shall work with City departments to discourage and prevent unwanted demolition of historic buildings and structures and the destruction of archaeological resources.

B. Organization. A Historic Preservation Commission shall consist of seven (7) members who are residents of the City. The members shall serve for terms of two (2) years, except that members of the first Historic Preservation Commission shall serve as designated by the City Council for the following terms: four (4) members for two (2) years and three (3) members for one (1) year. Any vacancy shall be filled by the City Council within a reasonable time after the vacancy occurs, for the unexpired term. The members of the Historic Preservation Commission shall serve without compensation.

C. Officers. The City Council shall select a Chairman of the Historic Preservation Commission who shall serve as Chairman for a term of one (1) year, and who shall preside at all meetings and be the head of the Historic Preservation Commission. The City Council shall select for a one (1) year term, a Vice-Chairman to act in the absence of the Chairman. The Development Services Director or designee shall act as Secretary to the Historic Preservation Commission, whose duties will be to record accurate minutes of the proceedings and any such other duties as may be assigned by the Historic Preservation Commission.

D. Rules.

1. The Historic Preservation Commission shall adopt guidelines to establish rules of procedure for its governance consistent with provisions of this ordinance, laws of this State, and the City Charter.
2. A quorum consisting of four (4) members shall be present to do business. A concurring vote of the majority of the appointed members present shall be required to approve or deny any motion on any public hearing item.
3. Historic Preservation Commission Members shall be subject to all applicable conflict of interest provisions of State law and the City Charter.
4. Qualifications. Members of the Historic Preservation Commission are preferred to be persons who have demonstrated special interest, knowledge or experience in historic preservation. At least five (5) members are preferred to have a background in the following disciplines: architecture, history, architectural history, planning, archaeology, or related historic preservation disciplines, such as cultural geography or cultural anthropology.

35.6.005 Glendale Historic Property Register

A. The Glendale Historic Property register is established for the purpose of recording the historic sites, structures, buildings, objects and areas which exist in the City of Glendale and which are zoned Historic Preservation District.

35.6.006 Historic Preservation (HP) Officer

A. The Development Services Director or designee shall serve as Historic Preservation Officer. The Historic Preservation Officer shall administer this ordinance and maintain the Glendale Historic Property Register.

35.6.007 Zoning Administrator

A. The Development Services Director or designee shall carry out all responsibilities of the office of the Zoning Administrator as defined in Arizona Revised Statutes and set forth hereafter. Such duties include, but are not limited to:

B. Administration and interpretation of this ordinance, including:

1. clarification of the intent, review of land uses described and included in a zoning district, and delegation of responsibilities for administering procedures and requirements of the ordinance;
2. ensuring compliance with the ratified General Plan;
3. Authorizing administrative relief;
4. Enforcement of this Zoning Ordinance, and;
5. Preparing application guidelines, forms, and administrative procedures.

C. Additional detail of responsibilities of the Development Services Director or designee may be provided in other specific sections of this ordinance. All decisions and interpretations by the Development Services Director or designee may be appealed to the Board of Adjustment in accordance with the procedures prescribed in Section 35.6.209; except as otherwise provided by this ordinance in Section 35.6.212 for design review decisions.

35.6.008 Planning Agency

A. Formation. The City has established the Development Services Department to carry out the functions of the Planning Agency, pursuant to A.R.S. §9-461-01 and the City Code, and further described herein.

B. General powers and duties. The Development Services Department shall perform, at a minimum, the following duties:

1. Develop and maintain the City's General Plan.
2. Develop necessary specific plans, codes, and resolutions to implement the General Plan.
3. Implement the General Plan through the development and administration of a comprehensive zoning or development code.
4. Perform planning functions as directed by the City Manager, Mayor, and City Council.

35.6.100 FEES

35.6.101 Generally

Fees for all services as required by this ordinance, including, but not limited to, rezoning, text amendments, use permits, variances, design review, interpretations, and administrative reviews, shall be in the amount established by resolution of the City Council or pursuant to Glendale City Code Chapter 2, Article I, Section 2-3. All fees shall be due at the time of application or submission of the request. The City of Glendale or the City of Glendale Councilmembers, when acting in their official capacity, shall be exempt from all fees required by this ordinance.

35.6.200 GENERAL PROCEDURES

35.6.201 Purpose

The procedures outlined in this ordinance involve a variety of application types. Some requirements are the same for all applications, and some application procedures have unique requirements. In addition, most procedures have detailed user guides prepared and provided by the Development Services Director or designee. This UDC and the available guidelines should be read carefully to ensure a complete application is prepared.

35.6.202 Common Procedures

The preparation and filing of applications for land use permits, entitlements, amendments and other matters pertaining to this UDC shall comply with the following common procedures, unless an exception to the common procedure is expressly identified in subsequent sections of this UDC. Subsequent sections include additional provisions that are unique to each type of application, including staff and review board assignments and approval criteria.

A. Pre-Application

Prior to application for any general plan amendment, rezoning request, special district, conditional use permit, subdivision plat, variance, appeal, design review, or any other review or permit process, a preapplication review with the Development Services Department will be required. The purpose of the preapplication review is:

1. To familiarize the Development Services Department with the request;

    a. To determine application requirements and familiarize the applicant with the review process and procedures;

    b. To identify land use and development policies which may affect the outcome of the request;

    c. To permit a cursory technical review at a conceptual stage to identify conflicts in objectives and to identify potential solutions for those conflicts; and

    d. To identify the requirements for citizen participation and familiarize the applicant with related issues.

B. Complete Application

1. Completed applications shall be submitted to the Development Services Department on a form and in such a manner as established by the Development Services Director or designee.
2. In accordance with A.R.S. §9-835, the Development Services Department shall publish an application schedule, which prescribes the necessary deadline for submitting specified application types in advance of being reviewed by the appropriate decision-making body pursuant to this UDC or the A.R.S.
3. The Development Services Department will evaluate an application for completeness. An application shall contain an application form, any information specifically required by this ordinance, such additional information specified by the Development Services Director or designee, and when required, a fee. An application must be made by the property owner or his authorized agent. An applicant will be notified within ten (10) working days if the application is incomplete. If incomplete, no review or public hearing will be scheduled. If an application fee has been paid, such fee will be refunded if the

application continues to be incomplete thirty (30) days after an initial incomplete submittal.

4. When an application is determined to be complete, it will be scheduled for a review or public hearing as required by this UDC. If the review authority (Commission, Board, City Council, or staff) determines additional information is required to adequately evaluate an application, any such additional information shall be submitted by the applicant not later than sixty (60) days from notification of the applicant unless a specific date is otherwise established by the review authority. Failure to provide additional information in the time specified will result in the application being deemed incomplete, the file closed and no refund of application fees made.
5. When a project requires approvals under more than one section of the UDC, the individual applications may be processed concurrently at the option of the Development Services Director or designee, and with the approval of the applicant; provided, however, rezoning applications may not be approved simultaneously with Major General Plan Amendments. Rezone applications can only be approved sequentially after Major GPA adoption; the rezone application will be cancelled if the Major GPA is not adopted. Minor GPAs may be processed concurrently with other applications. The concurrent processing of applications shall be in all cases at the applicant's risk.
6. At the discretion of the Development Services Director or designee, or where otherwise required by this UDC, A.R.S., or Federal law, an application filed in compliance with this UDC may be referred to any public agency that may be affected by or have an interest in the proposed land use activity.

C. Citizen Participation

1. Citizen Participation Plan

   Every application which requires a public hearing shall include a citizen participation plan which must be implemented prior to the first public hearing.

   a. The purpose of the citizen participation plan is to:

      i. Ensure that applicants pursue early and effective citizen participation in conjunction with their applications, giving them the opportunity to understand and try to mitigate any real or perceived impacts their application may have on the community;

      ii. Ensure that the citizens and property owners of Glendale have an adequate opportunity to learn about applications that may affect them and to work with applicants to resolve concerns at an early stage of the process; and

      iii. Facilitate ongoing communication between the applicant, interested citizens and property owners, City staff, and elected officials throughout the application review process.

   b. At a minimum the citizen participation plan shall include the following information:

      i. Which residents, property owners, interested parties, political jurisdictions and public agencies may be affected by the application;

      ii. How those interested in and potentially affected by an application will be notified that an application has been made;

      iii. How those interested and potentially affected parties will be informed of the substance of the change, amendment, or development proposed by the application;

      iv. How those affected or otherwise interested will be provided an opportunity to discuss the applicant's proposal with the applicant and express any concerns,

issues, or problems they may have with the proposal in advance of the public hearing;

v. The applicant's schedule for completion of the citizen participation plan;

vi. How the applicant will keep the Development Services Department informed on the status of their citizen participation efforts.

c. The level of citizen interest and area of involvement will vary depending on the nature of the application and the location of the site. The target area for early notification will be determined by the applicant after consultation with the Development Services Department. At a minimum, the target area shall include the following:

i. Property owners within the public hearing notice area required by other sections of the ordinance codified in this section;

ii. The head of any homeowners association or registered neighborhood within the public notice area required by other sections of the ordinance codified in this section;

iii. Other interested parties who have requested that they be placed on the interested parties notification list maintained by the Development Services Department.

d. These requirements apply in addition to any notice provisions required elsewhere in the ordinance codified in this section.

e. The applicant may submit a citizen participation plan and begin implementation prior to formal application at their discretion. This shall not occur until after the required pre-application meeting and consultation with the Development Services Department staff.

2. Citizen Participation Final Report

a. This section applies only when a citizen participation plan is required by the ordinance codified in this section.

b. The applicant shall provide a written report on the results of their citizen participation effort prior to the notice of public hearing. This report will be attached to the Development Services Department's public hearing report.

c. At a minimum, the citizen participation final report shall include the following information:

i. Details of techniques the applicant used to involve the public, including:

(a) Dates and locations of all meetings where citizens were invited to discuss the applicant's proposal;

(b) Content, dates mailed, and numbers of mailings, including letters, meeting notices, newsletters and other publications;

(c) Where residents, property owners, and interested parties receiving notices, newsletters, or other written materials are located; and

(d) The number of people that participated in the process.

i. A summary of concerns, issues and problems expressed during the process, including:

(a) The substance of the concerns, issues, and problems;

(b) How the applicant has addressed or intends to address concerns, issues and problems expressed during the process; and

(c) Concerns, issues and problems the applicant is unwilling or unable to address and why.

35.6.203 Application Process Overview

Table 6.200-1: General Application Procedures

Review & Hearing Bodies: PC = Planning Commission, CC = City Council, BOA = Board of Adjustment, HPC = Historic Preservation Commission

Review & Hearing Procedure: R = Review, Rec = Recommendation, D = Decision

Application Type[1]	Public Notification Requirements	Review & Hearing Body					Appeal Body	Application & Review Procedures
		Staff	HPC	PC	BOA	CC		
Annexation	See Table 6.200-2	R		R		R/D	N/A	See Section 35.6.205
General Plan Amendments		R		Rec		D	N/A	See Section 35.6.206
Rezoning (Map) Amendment		R		Rec		D	Referendum	See Section 35.6.207
Unified Development Code (Text) Amendment		R		Rec		D	N/A	See Section 35.6.207
Conditional Use Permit		R		D			CC	See Section 35.6.208
Variance		R			D		Superior Court	See Section 35.6.209
Interpretations and Administrative Relief		R/D					BOA or CC	See Section 35.6.210
Design Review, Waiver		R/D					PC	See Section 35.6.212
Design Review, Minor		R/D					PC	
Design Review, Major		R/D					PC	
Temporary Use Permit		R/D					PC	See Section 35.6.213
Establish Historic Preservation District		R	Rec			D	N/A	See Section 35.6.214
Special Event Permit		R/D					N/A	

[1] Not withstanding the permitted use types expressed in Article 2 – Zoning Districts, for all zoning district types and their associated regulations that may be expressed in Article 3 – Supplemental Use Provisions

or their associated procedures expressed in Article 6 – Administration & Procedures, any proposed public or private use or improvement on City Owned Property, exclusive of right of ways or public utility easements, that is located within three hundred feet (300') of the boundary of any existing residential development shall be subject to the Administrative Review process pursuant to Section 35.6.211 of this UDC, unless otherwise stated herein.

35.6.204 Public Notice

No public hearing shall be conducted without first providing notice to the affected parties.

A. Newspaper. Notice shall be placed in the newspaper of general circulation of the area, or newspaper designated by the City Council for legal public notices, advertising the type and nature of the public hearing at least fifteen (15) full calendar days prior to the date of the scheduled public hearing, not including the day of the hearing or the day of the notice publication. However, text changes to this Unified Development Code shall be published in a "display ad" covering not less than one-eighth (1/8) of a full page.

B. Site Posting. Notice shall be posted in at least one conspicuous location per street frontage of the subject property. For subject properties that are greater than forty (40) acres in area with street frontage(s), postings shall be placed along each street frontage so as to ensure at least one posting for each quarter mile (1,320'). For applicable sites with no street frontage, postings shall be installed on the property in locations clearly visible to abutting residents so as to ensure at least one posting for each quarter mile (1,320').

To enhance notification of required neighborhood meetings at preliminary stages of the application process, applicants shall install a sign on the property along each street frontage and in locations clearly visible to abutting residents so as to ensure at least one posting for each quarter mile (1,320'). All signs shall set forth the purpose, time, date, and place of the neighborhood meeting.

1. Site posting(s) shall be located outside of the public right-of-way, unless documented permission from the Development Services Director or designee, has been granted. Such permission shall be generally supported for properties within the Centerline Overlay District.
2. Site posting(s) shall be placed on the property and updated with public hearing information at least twenty (20) full calendar days prior to the date of the first scheduled public hearing. This twenty-day posting period shall not include the day of the hearing or the day of the posting. Site posting(s) for required neighborhood meetings shall be placed at least ten (10) days prior to the date of the scheduled meeting.
3. Site postings shall include the City-issued application number, summary of the request, applicant contact information, City contact information, and hearing dates, times, and location.
4. The size and format of the site posting(s) shall be in accordance with policies established and/or modified by the Development Services Department.
5. The applicant shall maintain all postings and ensure legibility throughout the duration of the posting period.
6. Site postings shall be removed from the subject property within thirty (30) days of the final hearing for the associated application.

C. Property Owner Notification. All property owners, including homeowners' associations, within the notification distance stated in Table 6.200-2 of this Section shall be sent notice by first class mail, postmarked at least fifteen (15) days prior to the date of the scheduled public hearing.

Due to the potential impact of a project that may extend beyond the required minimum notification distance, required notification distances shall be increased by 30%, if at least one of the following conditions exist:

- A zoning or land use request would result in conversion of a single-family residence designation to a multi-family residence designation or non-residential designation (and vice versa).
- A zoning or land use request may result in the need to change an existing roadway classification, revise an existing roadway alignment, or warrant the installation of a traffic signal.

Further, the required notification area shall be extended to all parcels located within the Plat(s) associated with parcels that fall within the required notification distance.

1. Property ownership information, for the purposes of notification, shall be collected from the Maricopa County Assessor's information. Additional interested parties may be included in the notification as a courtesy.
2. Measurement of the notification distance shall be taken from the exterior boundaries of the property subject to the application as shown on the last assessment of the property.
3. The size and format of the notification mailer shall be in accordance with policies established by the Development Services Department.
4. The public hearing notification process shall be managed and executed by the City. All associated notification and postage fees shall be calculated and submitted to the applicant for collection at the time of the first formal submittal.

Table 6.200-2: Application Notification Requirements					
	General Public Notification[1]			Adjacent Property Owner Notification[1]	
	Notice of Public Hearing	Newspaper Notice	Site Posting[2]	Notification Distance[3]	Notice of Public Hearing
Annexation	See A.R.S. §9-471				
Initial Zoning	Yes	Yes	Yes	300 ft	Yes
General Plan Amendment, Major and Minor					
• **≤40 acres**	Yes	Yes	Yes	600 ft	Yes
• **>40, but ≤120 acres**	Yes	Yes	Yes	900 ft	Yes
• **>120 acres**	Yes	Yes	Yes	1,200 ft	Yes
• ***Text amendment only***	Yes	Yes	*N/A*	N/A	Yes
UDC Amendment (Rezoning)					
• **≤40 acres**	Yes	Yes	Yes	600 ft	Yes
• **>40, but ≤120 acres**	Yes	Yes	Yes	900 ft	Yes
• **>120 acres**	Yes	Yes	Yes	1,200 ft	Yes
UDC Amendment (Text)	Yes	Yes	N/A	N/A	Yes
Conditional Use Permit					
• **≤40 acres**	Yes	Yes	Yes	600 ft	Yes
• **>40, but ≤120 acres**	Yes	Yes	Yes	900 ft	Yes
• **>120 acres**	Yes	Yes	Yes	1,200 ft	Yes
Variance	Yes	Yes	Yes	300 ft	Yes
Interpretation, Zoning Clearance, or Administrative Relief	No	No	No	N/A	No
Administrative Review	No	No	No	600 ft	No
Design Review, Minor, Standard, or Major	No	No	No	N/A	No
Temporary Use Permit	No	No	No	N/A	No

[1] City to manage notification.
[2] Applicant to post site.
[3] See Section 35.6.204.C for additional notification distance requirements

D. Notwithstanding the notice requirements set forth in this Section, the failure of any person or entity to receive notice shall not constitute grounds for any court to invalidate the action for which the notice was given. No public hearing shall be conducted without first providing notice to the affected parties.

E. Continuances. Items scheduled for public hearing which have been continued, for any reason, to a date-specific hearing by the same body and occurring within 60 days of the original hearing, are not required to be re-noticed. The Development Services Director or designee, may require re-notification as a courtesy should unique circumstances exist in which re-notification would benefit the community. Items remanded to a lower-tier hearing body for reconsideration shall be re-noticed in accordance with this Section.

35.6.205 Annexation

A. Annexation Process

The process of annexing territory into the City of Glendale shall adhere to the regulations set forth in A.R.S. §9-471. Both, private property owners and the City of Glendale may initiate annexation.

1. Private property owners shall initiate the annexation process by providing a written request to the Development Services Department, all included Maricopa County Assessor's parcel identification numbers, and a legal description. City Staff will review the request for completion and processing in accordance with A.R.S. §9-471.

B. Initial Zoning

Upon annexation into the City of Glendale, the City shall establish initial zoning on the property, often referred to as equivalency zoning, in accordance with A.R.S. §9-471, Requests to establish initial City zoning shall be made within ninety (90) days of the effective date of the annexation ordinance. The initial zoning process shall follow the typical rezoning process established in Section 35.6.207 Rezoning.

C. Effect of Annexation on Building Permits.

1. Maricopa County building permits lawfully issued not more than sixty (60) days prior to the effective date of annexation, shall be honored by the City. Within sixty (60) days after the effective date of annexation, the City shall issue a building permit when construction details conforming to City building codes and County zoning regulations, in effect at the time the County permit was issued, are provided to the City. Any fee paid to the County for the County permit shall apply towards the City permit fee and only the balance must be paid to the City before a City permit is issued.

2. A City building permit shall not be required for buildings legally under construction with a building permit issued by Maricopa County prior to the effective date of annexation, and where exterior walls have been completed to the plate line or beyond. The City shall require that building construction be structurally safe and in conformance with pertinent county zoning regulations in effect at the time the county permit was issued.

35.6.206 Amendments to the General Plan

A. General

1. Amendments to the General Plan which change property from one land use designation to another, which impose policies and standards not previously imposed, which modify plan text, or which remove or modify the text or any policy or standard previously imposed, shall be adopted in the manner set forth in this section.

2. Amendments to the General Plan can be either major or minor. Major and minor amendments have different hearing requirements as outlined in the City of Glendale General Plan.

B. Application Process

Applications for amendments to the General Plan shall conform with the provisions of Section 35.6.202. Applications shall be made in the office of the Development Services Department on an application form with required documentation specified by guidelines provided by the Development Services Department and accompanied with appropriate fees as required. After the Development Services Department has determined that an application is complete, a public hearing with the Planning Commission will be scheduled.

C. Authorized Applicant

1. An applicant for an amendment to the General Plan Map on any property shall be one (1) of the following:

   a. The owner of the property;

   b. One (1) or more of several joint owners of property who own individually or as a group, a majority interest in the property;

   c. One (1) or both of the property owners where property is held in joint tenancy;

   d. Seventy-five (75) percent, or more, of the owners of property in the area covered by the application when the application covers more than one (1) property; or

   e. The Planning Commission or City Council on its own motion at a public meeting.

2. The applicant for an amendment to change the text of the General Plan shall be any interested party, or the Planning Commission or City Council on its own motion at a public hearing.

3. An application shall be signed by the authorized applicant or an agent of any authorized applicant when the authority of the agent is in writing, notarized, and filed with the application except applications initiated by the Planning Commission or City Council. The signature of such agent shall have the same force and effect as if the application were signed by the principal.

D. Public Hearing

1. The Planning Commission shall not recommend nor shall the City Council consider any amendment to the General Plan until the request is presented during a public hearing. All public hearings to consider an amendment to the General Plan shall require notice as provided in Section 35.6.204.

2. For major amendments to the General Plan, the Planning Commission shall hold two public hearings in two different locations in the City. For property-specific amendments, one hearing shall be in the general vicinity of the proposed amendment. Both hearings shall require notice as provided in Section 35.6.204.

E. Planning Commission Recommendation

1. On an application to amend the land use map, the Planning Commission may only recommend approval or denial. The planning Commission recommendation will be forwarded to the City Council for public hearing and final action unless withdrawn by the applicant.

2. On an application to amend the text of the plan, the Planning Commission may recommend approval, approval as modified by the Commission, or denial. The Planning Commission recommendation will be forwarded to the City Council for public hearing and final action.

F. Amendments Adopted by Resolution

Amendments to the General Plan Map or text shall be adopted by resolution and become effective immediately upon approval by the City Council.

G. Findings

1. Amendments to the General Plan of the City of Glendale shall be approved only if:

a. The amendment is consistent with the policies and objectives of the rest of the General Plan; and

b. The proposed amendment furthers the public health, safety and general welfare of the citizens of Glendale.

2. If the amendment is to the Land Use Map, an additional finding must be made that the proposed change will be compatible with other land uses, existing or planned, in the vicinity.

H. Re-application

In cases where the amendment has been denied by the City Council, no application for an amendment for the same or substantially the same request and, in the case of a map amendment, on the same or substantially the same property, shall be filed within one hundred eighty (180) days from the date of denial of the amendment.

35.6.207 Amendments to the Unified Development Code (Rezoning and Text Amendments)

A. General

Amendments to this Unified Development Code which change property from one (1) zoning district to another, which impose regulations not previously imposed, which modify ordinance text, which amend or modify stipulations or conditions of approval, or which remove or modify the text or any regulation previously imposed shall be adopted in the manner set forth in this Section.

B. Application Process

Applications for amendment shall conform with the provisions of Section 35.6.202. Applications shall be made in the office of the Development Services Department on an application form with required documentation specified on guidelines provided by the Development Services Department and accompanied with required fees. After the Development Services Department has determined that an application is complete, the application shall be routed for formal review and comment by staff, and a public hearing with the Planning Commission will be scheduled.

C. Authorized Applicant

1. An authorized applicant shall be one (1) of the following:

a. The owner of the property;

b. One (1) or more of several joint owners of property who own individually or as a group, a majority interest in the property;

c. One (1) or both of the property owners where property is held in joint tenancy;

d. Seventy-five (75) percent, or more, of the owners of property in the area covered by the application when the application covers more than one (1) property;

e. The Planning Commission or City Council on its own motion at a public meeting; or

f. The Historic Preservation Commission, the Planning Commission or City Council on its own motion at a public meeting, may initiate an amendment to establish or amend Historic Preservation District Zoning.

2. The applicant for an amendment to change the text of the Zoning Ordinance shall be an interested party, or the Planning Commission or City Council on its own motion at a public hearing.

3. All applications shall be signed by the authorized applicant or an agent of any authorized applicant when the authority of the agent is in writing, notarized, and file with the application except applications initiated by the Planning Commission or City Council. The signature of such agent shall have the same force and effect as if the application were signed by the principal.

D. Public Notice

The Planning Commission shall not recommend, nor shall the City Council consider any amendment to this Zoning Ordinance, until the request is presented during a public hearing. No public hearing shall be conducted without first providing notice to the affected parties. Such notice shall be provided in accordance with Sections 35.6.204.

E. Public Hearing

The Planning Commission may recommend approval, approval with conditions, or denial on an application for amendment. The recommendation will be forwarded to the City Council for public hearing and final action unless withdrawn by the applicant. All public hearings to consider an amendment to this Unified Development Code shall require notice as provided in this Article.

F. Protests Against Amendment

1. If the owners of twenty (20) percent or more of the area either of the lots included in a proposed change, or those immediately adjacent within one hundred fifty (150) feet therefrom, or of those directly opposite within one hundred fifty (150) feet from the street frontage of the opposite lots, file a protest in writing against a proposed amendment, it shall not become effective except by a favorable vote of three-fourths (3/4) of all members of the City Council.

2. If any members of the City Council are unable to vote on such a question because of a conflict of interest, then the required number of votes for passage of the question shall be three-fourths (3/4) of the remaining membership of the City Council, provided that such required number of votes shall in no event be less than a majority of the full membership.

3. Written protests shall describe the property owned by the protestants with sufficient clarity to determine the location of the protestant's property on a map of the City with relation to the area under consideration. Where such property is not adequately described, the City Council may, at its discretion, disregard any such protest. The written protests shall include case number, description of request, the name(s), address of property owned by protesting party, signature, date and basis of protest. If a petition is used, the person circulating the petition shall include their name and their notarized signature.

4. All such written protests or petitions shall be filed in the office of the Development Services Director no later than 12:00 noon on the Friday preceding the City Council meeting at which such amendment will be considered.

G. Amendments Adopted by Ordinance

Amendments to the official Zoning Map or the Unified Development Code text shall be adopted by ordinance. Amendments to the text may be considered as an emergency

ordinance to become effective immediately upon approval by the City Council. Amendments to the official Zoning Map shall not be considered as an emergency ordinance and shall become effective thirty (30) days after approval unless a later effective date is provided by action of City Council. An ordinance amending the official Zoning Map shall include a legal description of the property affected, which shall be provided by the applicant on a form and in a manner as required by the guidelines prepared by the Development Services Director or designee.

H. Conditional Zoning

1. The City Council may approve a zoning change containing conditions which must be met by the applicant and may specify a period of time for the applicant to meet the conditions. In the event the time period expires and the conditions have not been met, the ordinance shall not become effective and may be rescinded as follows:

    a. The Development Services Director or designee shall, by first class mail, notify the authorized applicant of its intention to hold a hearing to rescind the zoning change. The notice shall be made at least fifteen (15) days prior to the date of the scheduled hearing. At the hearing, the City Council shall consider evidence from all interested parties and after deliberation may rescind the ordinance or take an action to extend the time period.

I. Findings

1. Amendment to the Unified Development Code text and official Zoning Map of the City of Glendale shall be approved only if:

    a. The amendment is consistent with the policies and objectives of the Glendale General Plan;

    b. The proposed amendment furthers the public health, safety and general welfare of the citizens of Glendale; and

    c. If the amendment is to the official Zoning Map, the proposed change will include any conditions necessary to mitigate any adverse impacts on businesses, persons, or properties adjacent to the requested amendment.

J. Change of Classification of Requested Zone District

In the event an application is made for an amendment to change the official Zoning Map from a more restrictive district to a less restrictive district, the Planning Commission or City Council may approve the application or grant the amendment for a district which is more restrictive than requested in the application and less restrictive than the existing classification, without the necessity of a new or amended application and without the necessity of giving new or additional notice.

K. Re-application

In cases where the amendment has been denied, no application for an amendment for the same or substantially the same request and, in the case of a map amendment on the same or substantially the same property shall be filed within one hundred eighty (180) days from the date of denial of the amendment.

L. Adequate School Facilities

1. The provisions of this section shall apply only to applications for residential rezoning which will increase the projected number of students for any school district's school attendance area as a result of the proposed rezoning. The applicability of this section

includes applications for rezoning which change zoning classifications from non-residential to residential classifications and rezonings which change residential zoning classifications to a higher density residential classification. A school district's school attendance areas shall be the attendance boundaries adopted for each public school by the applicable school district.

2. No rezoning application shall be considered complete under Section 35.6.202 until the applicant provides a letter from the appropriate school district which certifies any of the following, or the time period for the school district's response to a request for certification has expired under subsection 4 below:

    a. That the school district has adequate school facilities to accommodate the projected number of new students within the school district's attendance area; or

    b. That the school district will have adequate school facilities by a planned capital improvement to be constructed within one (1) year and located within the school district's attendance area; or

    c. That the school district has determined an existing or proposed charter school can provide adequate school facilities; or

    d. That the applicant and the school district have entered into an agreement to provide, or help to provide, adequate school facilities within the school district's attendance area in a timely manner; or

    e. That the school district does not have adequate school facilities to accommodate projected growth attributable to the rezoning.

    The projected number of new students resulting from the application for rezoning shall be based upon a student per-household ratio methodology adopted by the appropriate school district. If a school district fails to adopt a student per-household ratio methodology for projecting the number of new students resulting from an applicant's rezoning application, then the school district shall base its certification upon an authoritative source accepted within the education community.

3. For purposes of this section, adequate school facilities shall be determined by the appropriate school district in accordance with the minimum school facility adequacy guidelines adopted by the School Facilities Board pursuant to A.R.S. Sec. 15-2011, and any subsequent amendments made thereto, as applied to each individual school site's attendance area for each individual school serving the property being considered for rezoning.

4. Applications for rezoning subject to this section shall follow the following procedures:

    a. At the time of filing an application for rezoning subject to this section, all applicants for rezoning shall provide a copy of a letter delivered to the superintendent(s) of all applicable school districts which contains an offer to meet with school district representatives to discuss the school district's certification required by subsection 2 above.

    b. After the filing of the rezoning application, the City shall deliver by certified or registered mail a copy of the application and a site location map to each affected school district located within the area requested to be rezoned. In addition, the City shall request the school district to provide the required certification provided for in subsection 2 above, on a form to be provided by the City, within thirty (30) days to the City of Glendale care of the Development Services Director. For good cause, the thirty (30) daytime period may be extended at the request of the applicant or the school district. In the event the City does not receive certification from the school district within thirty (30) days, or any extension thereof, it shall be

deemed that there are adequate school facilities for the proposed rezoning. The school district's response time to a request for certification shall be determined by the date of mailing of the request for certification from the City. For purposes of computing the thirty (30) day certification time period, the date of mailing from which the designated period of time begins to run shall not be included. In the event the last day for receipt of the certification occurs on a Saturday, Sunday or legal holiday, the applicable certification time period runs until the end of the next work day.

c. After providing the certification required by subsection 2, or the school district's failure to respond to the request for certification within thirty (30) days, or any extension thereof, the application shall proceed to be processed in accordance with Section 35.6.207 of the zoning ordinance and all other applicable ordinances.

d. In the event that the appropriate school district certifies that there are not adequate school facilities for the proposed rezoning, the Development Services Director or designee shall notify the applicant in writing that the school district has determined that it does not have adequate school facilities for the rezoning.

35.6.208 Conditional Use Permits

A. General

The City of Glendale recognizes certain uses which may be appropriate in specific zone districts but have characteristics that, depending upon the location, design, and standards of operation, may have a greater impact than permitted uses on adjoining properties, businesses, or residences within the City. Such uses require a more comprehensive review, including the ability of the City to establish specific conditions for the project to mitigate any potential impacts. The Planning Commission can evaluate only conditional uses listed and is empowered to approve, approve with conditions, or deny any application for a conditional use permit. Such review by the Planning Commission is subject to findings and the applicable hearing requirements of this section. The burden of proof shall be the responsibility of the applicant.

B. Application

Applications shall conform with the provisions of Section 35.6.202. Applications shall be filed with the Development Services Department on an application form with the required documentation specified on guidelines provided by the Development Services Director or designee with appropriate fees. After the Development Services Department has determined that an application is complete, a public hearing with the planning commission will be scheduled. The application, at a minimum, shall include the following:

1. Name and address of the applicant. If the applicant is not the owner of the property, the name and address of the owner shall be supplied along with authorization that the applicant is the agent of the owner and may apply for the conditional use permit. Proof of ownership or written authorization to act on behalf of the owner must accompany the submittal.
2. A statement describing the proposed use, and any pertinent data required to evaluate the use, including but not limited to: hours of operation, number of employees and shifts, processes and materials involved in the use, and types and volume of traffic generated by the use.
3. A list of all property owners within the prescribed notification distance (Section 35.6.204.C) of the exterior boundaries of the property subject to the application. The list shall be accompanied by a map showing the location of these properties.

4. A site plan including dimensions showing the type and location of buildings, structures, floor plans, parking, landscaping, circulation and other relevant site information.
5. Any additional information or plans which may be required by the Development Services Director or designee.
6. Wireless communication facilities require the following additional information:

    a. A map of the service area of the proposed facility.

    b. A map showing all existing or planned facilities within the network of the provider within three (3) miles of the proposed site. Describe the height, type of mount, and number of antennas for each facility.

    c. A map showing any existing or planned single family residential development within one-half (½) mile of the proposed site.

    d. A map showing all wireless communication facilities which are existing, approved, or under construction within a mile radius of the site.

    e. A map showing other potential locations considered. This includes other monopoles, buildings, and alternative structures.

    f. A scaled elevation of the facility from each direction. The elevation must be legible when reduced to eight (8) and one-half (½) by eleven (11) inch size.

    g. A narrative which addresses the following:

        i. Why the facility is needed.

        ii. Efforts to co-locate on existing or planned towers and why co-location is not feasible or desirable.

        iii. Efforts to locate antenna on existing building or another alternative structure.

        iv. Why the proposed site is superior from a community perspective. Factors to address include visual impact on gateways to the community, heavily traveled corridors, and major view sheds, impact on land use character, and proximity to single family neighborhoods.

        v. Efforts to blend the wireless facility into the surrounding area by minimizing the visibility of the structure. Include the process for selection of color of the proposed monopole.

        vi. Justification for the proposed height. The height should represent the minimum necessary in all instances.

        vii. Efforts to minimize the diameter and mass of the structure provide engineering information related to those efforts.

        viii. Efforts to minimize the size of the antenna array, support equipment and related equipment shelter provide engineering information related to those efforts.

        ix. Function of all equipment ancillary to the panel antennas such as whip and dish antennas.

        x. Describe where the structure will be visible and from what distance.

    h. Third-party review.

        i. City staff may require a third-party review of any technical data submitted as part of the application.

ii. The third party may be selected by agreement with the applicant or at the discretion of the City. The cost of the third-party review will be paid for by the applicant.

iii. The third-party review is to be a technical site-specific review of the wireless communication facility, not a subjective review of the proposed site.

C. Public Hearing

The Planning Commission shall hold at least one (1) public hearing on the application. Prior to the public hearing, notice shall be provided as described in Section 35.6.204.

D. Findings

The Planning Commission shall make the following findings before granting a conditional use permit:

1. General Findings.

   a. That the proposed use is consistent with the policies, objectives, and land use map of the Glendale General Plan and the purpose of the zone district in which the site is located;

   b. That the proposed use will not be materially detrimental to the health, safety or general welfare of persons residing or working within the neighborhood of the proposed use, or have an adverse effect on the property, adjacent properties, the surrounding neighborhood or the City when consideration is given to the character and size of the use and hours of operation;

   c. That the proposed site is adequate in size and shape to accommodate the intended use and that all requirements for the zone district, including but not limited to: setbacks, walls, landscaping and buffer yards are met;

   d. That the proposed site has adequate access to public streets and highways to carry the type and quantity of traffic which may be generated by the subject use, and that on-site circulation is adequate to permit driveways, parking, and loading requirements in a manner which is safe and efficient;

   e. That adequate conditions or stipulations have been incorporated into the approval of the conditional use permit to ensure that any anticipated detrimental effects to public health, safety, and welfare can be mitigated.

2. Wireless Communication Facilities Findings.

   a. The proposed facility is required to provide adequate wireless service, and other alternative locations are either infeasible or less desirable from a community perspective;

   b. The proposed facility will blend into the context of its setting and not be overly conspicuous within the community;

   c. The scale and mass of the facility will not adversely affect the land use character of the property or the surrounding area;

   d. Adequate setbacks have been provided to ensure the facility will not be intrusive on adjacent land uses or the streetscape.

   e. All applicable development standards and design guidelines have been met.

E. Action by the Planning Commission

The Planning Commission may approve, approve with conditions, or deny any application after conducting a public hearing. The Planning Commission may place any conditions which are deemed necessary to mitigate potential impacts and ensure compatibility of the use with surrounding development and the City as a whole, and which are required to preserve the public health, safety and general welfare. These conditions may include but are not limited to:

1. Requirements for setbacks, open spaces, buffers, fences or walls, and landscaping to mitigate conflicts from visual, noise, lighting and similar impacts associated with the use;
2. Dedication of street or other public rights-of-way, and control in location of access points and on-site circulation to mitigate traffic impacts from increased volumes or nature of traffic activity associated with the use;
3. Regulations pertaining to hours of operation, methods of operation, and phasing of the development of the site to mitigate impacts to surrounding properties and the neighborhood;
4. Time limits on the duration of the permit to determine if the use, after a temporary period of operation, is materially detrimental to public health, safety, or welfare or to evaluate whether changed conditions in the neighborhood effect the capability of the use to continue to adequately mitigate impacts to the surrounding area or the City as a whole.

F. Effective Date of the Conditional Use Permit

The decision of the Planning Commission shall be final and effective fifteen (15) days from the date of the decision unless an appeal is filed pursuant to Section 35.6.208.G.

G. Appeal Procedure

1. The action of the Planning Commission may be appealed to the City Council by the applicant, any member of the City Council, the City Manager, or any property owner within subject property notification radius pursuant to Section 35.6.204. Such requests for appeal must be filed on an application form provided by the Development Services Director or designee with the appropriate fee, within the fifteen (15) days following the date of the Planning Commission action.
2. Consideration of the appeal shall be made at a public hearing only after notice of the hearing has been placed in the newspaper of general circulation of the area, or newspaper designated by the City Council for legal public notice, at least fifteen (15) days prior to the hearing. The notice shall be posted on the property at least fifteen (15) days prior to the hearing. It shall not be the responsibility of the City to maintain the notice once posted on the property.
3. The City Council shall act to affirm or reverse, in whole or in part, or modify the Planning Commission's decision. Any action to grant a conditional use permit, either through affirmation, modification, or reversal of the Planning Commission's decision, must include required findings for conditional use permit as provided in this ordinance.

H. Modification of Conditional Use Permit

A request to modify, expand, or otherwise change an approved conditional use permit, not in substantial conformance with the approved permit, shall be reviewed and processed according to provisions of this ordinance as a new application.

I. Revocation

1. Failure to comply with the conditions, stipulations, or terms of the approval of an approved conditional use, is a violation of this ordinance and will be enforced as such. Repeated offenses shall be cause for revocation in the following manner:

   a. The Planning Commission shall notify, by certified mail, the holder of the conditional use permit of the intention to conduct a hearing to consider the revocation of the conditional use permit. Notice shall be postmarked at least fifteen (15) days prior to the date of the scheduled hearing. At the hearing the Planning Commission shall consider evidence from all interested parties and after consideration of all available information may revoke the conditional use permit if it is determined that conditions, stipulations, or terms of the approved conditional use permit have not been met.

J. Status of the Conditional Use Permit

A conditional use permit granted pursuant to provisions of this article shall run with the land and continue to be valid regardless of ownership of the site or structure subject of the conditional use permit application, so long as it operates within the conditions, stipulations, and terms of the conditional use permit approval.

K. Re-application

In cases where the conditional use permit has been denied, no application for a conditional use permit for the same or substantially the same use on the same or substantially the same site shall be filed within one hundred eighty (180) days from the date of denial or revocation of the conditional use permit.

L. Expiration of Conditional Use Permit for Wireless Communication Facilities-Monopole

All conditional use permits for wireless communication monopoles facilities shall be limited to a maximum time period of ten (10) years from the date of Planning Commission approval. When a conditional use permit is granted for a co-location on a facility with an existing conditional use permit, the action of granting the new conditional use permit shall extend the existing conditional use permit so that they will expire simultaneously.

The commission shall be responsible for initiating a review of the approved facility and shall request the applicant to demonstrate that changes in technology, that are economically feasible, have not eliminated the need for the conditional use permit. If a new conditional use permit is not granted, the applicant shall be responsible for the removal of the facility.

35.6.209 Variances and Appeals

A. General

Variances from zoning regulations pertaining to development standards; setbacks, lot dimensions, or other development standards where such a variance will not be detrimental to public interest, health, safety, or welfare. No variance shall be granted to permit a use not otherwise permitted in the applicable zoning district.

B. Variance Criteria

Relief from established development standards shall not be arbitrary nor open-ended or universal across multiple properties. Upon filing a variance for consideration, the applicant shall present evidence that demonstrates the following:

1. Existing unique circumstances or conditions on the subject property that prevents the universal application of the zoning standard.
2. The literal interpretation of the Unified Development Code would deprive the appellant of rights commonly enjoyed by other properties in the same zoning district.
3. Any hardship caused by the provisions of the Unified Development Code is more than personal inconvenience or a financial hardship and is not the result of actions by the applicant.
4. Granting the variance will not interfere with or alter the appropriate and legal use of adjacent conforming properties in the same zoning district.

C. Application Process

Applications for variances shall conform with the provisions of Section 35.6.202. Applications shall be made in the office of the Development Services Department on an application form with required documentation specified on guidelines provided by the Development Services Department and accompanied with required fees. After the Development Services Department has determined that an application is complete, the application shall be routed for formal review and comment by staff, and a public hearing with the Board of Adjustment will be scheduled.

D. Appeal Decision; Interpretations

The Board of Adjustment may hear appeals to staff Interpretations. When hearing such an appeal, the Board shall consider the nature of the request and determine if staff's interpretation and/or decision was made in accordance with the intent of the guiding regulation, was made in accordance with known state or federal law, and if the decision advances the principles and values of the City of Glendale. The Board of Adjustment may confirm, overturn, or modify staff's decision.

E. Decision; Variances

The Board of Adjustment may approve, conditionally approve, or deny variance requests. In the event the Board of Adjustment determines that the applicant has provided adequate evidence that aligns with the conditions set forth above in Section 35.6.209.B, it may approve or conditionally approve the variance. Approval may be granted only upon the affirmative vote of the majority of the Board members present.

F. Effective Date of the Variance or Appeal

The decision of the Board of Adjustment shall be final thirty (30) calendar days from the date of the public hearing unless an appeal is filed as provided for in this ordinance.

G. Appeal to Superior Court

The City, the applicant, or any person aggrieved by a decision of the Board of Adjustment may within thirty (30) calendar days of the Board's decision, file a complaint for special action in Superior Court in accordance with A.R.S. § 9-462.06(K) now in effect or as it may be amended from time to time.

H. Revocation of a Variance

When provisions of this ordinance related to the variance, or conditions or stipulations, made a part of the variance approval, have not been satisfied, the variance may be revoked as follows:

The Board of Adjustment shall, by first class mail, notify the holder of the variance of its intention to hold a hearing to consider revocation of the variance. The notice shall be made at least fifteen (15) days prior to date of the scheduled hearing. At the hearing, the Board of Adjustment shall consider evidence from all interested parties, and after deliberation, may revoke the variance or

take any actions as may be necessary to ensure compliance with the regulations or conditions of the approved variance.

I. Re-application

Where a variance or appeal has been denied, no application for a variance or appeal for the same or substantially the same issue on the same or substantially the same site shall be filed within one hundred eighty (180) days from the date of denial.

J. Applicability of the Variance

Except as may be otherwise stipulated or provided in this Zoning Ordinance, a variance granted pursuant to provisions of this article shall run with the land and continue to be valid upon a change of ownership of the site or structure which was subject to the variance.

35.6.210 Interpretations, Zoning Clearance, and Administrative Relief

A. Interpretations

1. The Development Services Director or designee shall be responsible for interpretation of the Unified Development Code. Interpretations may be considered if there is a question of clarity of any development standard or other provision of this Code, or a review is required within the permitted use categories of a specified zoning district. Interpretations shall not modify or alter any development standard. Requests to modify development standards shall be filed and processed in accordance with Section 35.6.210 Administrative Relief or Section 35.6.209 Variances.
2. An application clearly stating the section requiring interpretation or the characteristics of the desired use and zone district in which it is proposed to be located shall be submitted on a form prescribed by the Development Services Director with the required fee before an interpretation will be made. All requests for written interpretations shall be filed with the Development Services Department.
3. The Development Services Director shall issue a written interpretation within ten (10) working days of the submission of a completed application and request for interpretation. All interpretations shall be maintained in the Development Services Department records.
4. Prior to determining that a use is permitted within a specific zoning district, the Development Services Director or designee shall find that:

    a. The use is either described and included in the zoning district or is comparable in intensity, including, but not limited to, generation of noise, dust, light, vibration, or traffic as other permitted uses within the same zoning district;

    b. The intensity of the use will not adversely affect other properties within the district;

    c. A favorable use interpretation shall not be unique to a single parcel or development and shall demonstrate suitability for all properties within the subject zoning district; or

    d. If there is more than one (1) principal use, all of the principal uses are permitted and that the combination of uses will not alter the basic land use characteristics

of each principal use or create a different use which would otherwise be prohibited.

B. Zoning Clearance

1. This Chapter establishes procedures for conducting zoning clearance to ensure that each new or expanded use or structure complies with the applicable requirements of this Code.
2. Zoning clearance is required for buildings or structures erected, constructed, altered, repaired or moved, which require a building permit, the use of vacant land, changes in the use of land or building, or for substantial expansions in the use of land or building.
3. An application with the required fee shall be submitted which describes the use in detail and the manner in which it will comply with the specified condition.
4. The Development Services Director or designee shall issue a written determination within ten (10) working days of submission of a completed application that the use or accessory use does or does not comply with the specified conditions. All determinations shall be maintained in the Development Services Department records.

C. Administrative Relief

1. The Development Services Director or designee may grant administrative relief to a property owner of up to ten (10) percent of any development standard unless specifically restricted elsewhere in this ordinance if:
    a. An application by the property owner, on a form prescribed by the Development Services Director or designee, and fee has been submitted;
    b. Notice, by first class mail, postmarked at least ten (10) days prior to the determination to adjacent property owners;
    c. The proposed improvement requiring relief will not be detrimental to the property requesting relief or any adjacent property or the City;
    d. The relief granted is the minimum required to meet the needs of the proposed improvement; and
    e. The relief shall not be contrary to the purpose or intent of this ordinance.
    f. The relief shall be parcel specific for residential applications or development specific for non-residential applications and shall not be considered to establish precedent for other properties within the same zoning district.
2. Any relief authorized by the Development Services Director or designee will be documented with findings consistent with the standards above and filed with the building permit records, subdivision case file, or other department files, as appropriate.

D. Appeals

All decisions by the Development Services Director or designee performed in accordance with this Section may be appealed to the Board of Adjustment in accordance with the procedures prescribed in Section 35.6.209 Variances and Appeals, except any appeal of an interpretation made by the Development Services Director or designee shall be heard by the City Council.

35.6.211 Administrative Review

A. Purpose

Requests not subject to a legislative process as required by the provisions of this Code or state law may be processed administratively as set forth below. The purpose of requiring administrative review of such applications is to provide for appropriate review while at the same time allowing for expedited action on proposed conditions that might otherwise require a more extended legislative process.

B. Applications

Applications subject to administrative approval shall be submitted to the Development Services Department on an official form provided by the Department. The application shall satisfy the submittal requirements as well as all pertinent ordinances and regulations. The application shall request sufficient information for the Department to determine if the proposal satisfies the requirements of all applicable ordinances, rules and regulations.

C. Public notice requirements

No public notice is required for Administrative Review applications and decisions except for those conditions where the boundary of the property upon which the development is proposed is located within three hundred feet (300') of the boundary of any existing residential development; Public notice shall include notice of application and notice of decision as specified below.

1. When required, public notice shall be provided by the City as follows:

    a. Notice of application within fourteen (14) days of the determination of completeness;

    b. The applicant shall post notice on or near the property with two signs as specified by section 35.6.204;

    c. Mailing notice to owners of property located within six hundred feet (600') of the subject property.

    d. A public comment period not less than thirty (30) days following the date of notice of application shall be provided.

D. Notice of Decision

1. The Development Services Director or designee shall review applications for administrative approval in accordance with all applicable ordinances, rules and regulations. If the Development Services Director or designee determines that the proposal is consistent with all applicable ordinances, rules and regulations, then the Development Services Director or designee shall grant approval and may impose conditions necessary to ensure that the proposal does not negatively impact the health, safety or general welfare of the citizens of Glendale. If Development Services Director or designee finds that the application cannot be administratively granted, the application shall be denied.

    a. The notice of decision shall be issued within twenty-one (21) days of the last day of the comment period.

    b. The notice of decision shall be provided to the applicant and to any person who, prior to the rendering of the decision, made a written request for a notice of the decision or submitted substantive comments on the application.

E. Appeal

1. An applicant may file an appeal of the Administrative Review decision by submitting an Appeal Form. Such an appeal must be received by the Development Services Department no later than thirty (30) days following a decision on an application subject to an administrative action.
2. A respondent shall completely and accurately fill out an Appeal Form and may provide supplemental information if so desired.
3. Staff will review the Appeal Form for administrative completeness. An appeal of the Administrative Review decision will be scheduled for hearing before the Board of Adjustment within thirty (30) days after filing the appeal. The Appeal Form and supplemental information shall be transmitted to the Board of Adjustment for review at least one week prior to hearing.
4. All appeals of the same administrative action shall be consolidated and presented to the Board of Adjustment as a single matter.
5. The Board of Adjustment shall reverse the decision of the Development Services Director or designee only upon a finding that the decision was arbitrary, capricious, unreasonable or was not supported by the evidence presented to the Development Services Director by the applicant.
6. The decision of the Board of Adjustment shall be provided to Staff following the hearing. Upon delivery to Staff, the decision shall become final and effective. Staff shall provide a copy of the Board of Adjustment decision to the applicant.

35.6.212 Design Review

A. Purpose

Within the City of Glendale, Design Review is comprised of two administrative processes intended to promote high quality development that is compatible with its surroundings and is safe for both motorists and pedestrians, while also ensuring that all necessary public utilities and services are provided in an efficient and attractive manner.

B. Applicability

Design Review is required for non-residential or multi-family residential development, or any single-family residential development comprised of five or more lots if any one (1) of the following requirements is met:

1. Any new development or construction.
2. Any change in occupancy as classified by the City of Glendale Approved Building and Fire Codes.
3. Any expansion of an existing site or building.
4. Any exterior remodeling or improvement of an existing use that alters at least twenty (20) percent of the exterior building elevations.
5. Any exterior remodeling or improvement valued at fifty (50) percent or more of the value of the existing improvements on the site.
6. New or reinstated occupancy of any non-residential building or site which has been vacant for one (1) year or more.
7. Any amendment to an approved concept review plan.

C. Design Review, Waiver

Design Review Waiver requests are generally routine in nature and are often performed 'over-the-counter' depending on staff capacity. Such requests are intended to document minor changes to a site or building and are not subject to reviews by other City departments.

1. Requests meeting the following criteria shall be available for design review waiver:

    a. External building modifications to existing non-residential and multi-family residential buildings, including:

        i. Change of color(s)

        ii. Change of building materials or façade treatment.

        iii. Change of roofing materials.

        iv. Addition of doors or windows. This specifically excludes the elimination of doors or windows since such a change would require Building Safety review.

        v. Modifications to an improved site, including, but not limited to:

            (a) Parking reconfiguration that does not change on-site circulation.

            (b) Landscape revision that does not reduce required landscaping below minimum requirement.

            (c) Modifications to permanent site signage structure color, materials, or orientation. This specifically excludes modifications to sign panels or content; such modifications shall comply with Section 35.4.300 Signage.

    b. Other requests as determined by the Development Services Director or designee, provided such request does not warrant review beyond the Development Services Department.

D. Design Review, Minor

The Minor Design Review process is an administrative process. The intent of the Minor Design Review process is to ensure the alignment of a proposed development or significant modification with all applicable codes and ordinances.

1. Requests meeting the following criteria shall be subject to Minor Design Review:

    a. New construction or site development, typically of less than ten (10) acres and comprised of fewer than five (5) buildings.

    b. Any exterior remodeling or improvement valued at less than fifty (50) percent of the value of the existing improvements on the site.

    c. New or reinstated occupancy of any non-residential building or site which has been vacant for less than one (1) year.

    d. Modifications to a developed site that result in pedestrian or vehicular circulation changes.

    e. Building or site improvements that do not require review beyond the Development Services Department.

E. Design Review, Major

Major Design Review requests are more complex and generally more impactful to the community due to factors such as high trip generation and types of trips, taller or more expansive elevations, and operational characteristics that could affect the quality of life for surrounding property owners.

1. Applications meeting the Minor Design Review criteria and the following additional criteria shall be subject to Major Design Review.

    a. New construction or site development meeting any of the following:

        i. Greater than ten (10) acres, or

        ii. Comprised of five (5) or more buildings, or

        iii. An aggregate building area of 100,000 square feet or more, or

        iv. Building height of 40' or greater when adjacent to existing single-family residential use.

    b. Any exterior remodeling or improvement of an existing use that alters at least twenty (20) percent of the exterior building elevations.

    c. Any exterior remodeling or improvement valued at fifty (50) percent or more of the value of the existing improvements on the site.

    d. New or reinstated occupancy of any non-residential building or site which has been vacant for one (1) year or more.

    e. Any amendment to an approved concept review plan.

    f. Any building or site modification defined as a Minor Design Review that requires additional City department or external agency review.

    g. Other potentially high-impact proposals as determined by the Development Services Director or designee.

2. The Development Services Director or designee may waive Major Design Review if it is determined that such review will not further the intended purpose of this section.

F. Submittal Requirements

1. A Design Review application shall contain the items listed below. The following list may be modified on a case-by-case basis for Minor or Standard Design Review.

    a. Completed application form and fee.

    b. A fully-dimensioned and annotated site plan.

    c. Fully-dimensioned and annotated building elevations (all building elevations).

    d. A conceptual landscape and walls plan.

    e. Preliminary grading and drainage plan.

    f. Materials and colors exhibit board, photos and images only (no materials samples).

    g. Proposed signage location and thematic elements.

2. The technical information to be included with these items along with the appropriate number of copies of each is described in the application guidelines provided by the Development Services Department.

3. Additional information may be required depending on the scale and scope of the project.

G. Review and Approval

As applicable based on the Design Review type, the Development Services Director or designee in association with other city departments as applicable shall make the following findings in their evaluation of a project:

1. The proposed development complies with the provisions of this ordinance and all applicable ordinances, master plans, and standards of the City of Glendale.

2. The proposed development promotes a functional relationship of structures to one another, to open spaces, and to topography both on the site and in the surrounding neighborhood.

3. The height, location, materials, color, texture, area, setbacks, and mass, as well as parts of any structure (buildings, walls, signs, lighting, etc.) and landscaping, is appropriate to the development, the neighborhood, and the community.

4. Ingress, egress, on-site parking and circulation, loading and service areas, and pedestrian ways, are so designed to promote safety and convenience.

5. The architectural character of the proposed structures is complementary with other buildings and predominant features within the area and of an architectural character desired for the City; avoiding excessive variety or monotonous repetition.

6. All mechanical equipment, appurtenances and utility lines are concealed from view and integral to the building and site design.

H. Denial and Appeal Procedure

1. If the Development Services Director or designee, finds that the proposed project has not properly addressed one (1) of the review criteria listed in Section 35.6.212.G of this article, and adequate resolution of the issue(s) cannot be ensured by the applicant, the Development Services Director or designee, shall deny the Design Review Application and state the reasons for the denial in a letter to the applicant.

2. The applicant may appeal the Development Services Director or designee decision to the Planning Commission if that appeal is made in writing to the Development Services Director or designee within fifteen (15) days of the decision. The appeal letter shall describe the unresolved issues and describe what design solutions are proposed by the applicant. The applicant shall be notified of the date of the Planning Commission meeting to consider the appeal, a minimum of fifteen (15) days prior to the public meeting.

I. Period of Approval

Design review approval shall be valid for a period of one (1) year from the date of approval and shall become invalid if a building permit has not been issued in that time. Up to an additional one (1) year may be granted by the Development Services Director or designee upon written request by the applicant. The Development Services Director or designee shall grant the extension only upon a finding that special circumstances prevented the applicant from obtaining a building permit, and that no changes in City ordinances have occurred which would significantly alter the previous design review approval.

35.6.213 Temporary Use Permit

A. Purpose

The City of Glendale recognizes that certain uses which may be appropriate in certain zoning districts may be allowed on a temporary basis. The Temporary Use Permit will regulate uses which are semi-permanent in nature. It is the intent to provide for certain temporary uses for limited periods of time. Allowing temporary uses is not intended to permit uses otherwise prohibited by the Zoning Ordinance or to allow permanent uses to be established. The purpose of this section is to establish the procedures and outline the review criteria to be used by the Development Services Director or designee when considering an application for a Temporary Use Permit. All Temporary Uses shall be conducted so as not to be detrimental to health, safety, and welfare of the surrounding properties and shall be subject to the standards and regulations contained in this Code. Every Temporary Use on private property shall require a Temporary Use Permit.

1. Permitted Temporary Uses. The City may grant a Temporary Use Permit for any of the following uses.

    a. Temporary municipal uses.

    b. Such other uses as the City may deem to be within the intent and purpose of this section.

    c. Donation/Recycling Drop-Off Boxes. Donation/Recycling Drop-Off Boxes are allowed on churches, public and private schools, City parks, police and fire stations, other City facilities and on property zoned for this purpose.

B. Application

A property owner, donation drop box owner/operator, or duly authorized agent may submit an application for a Temporary Use Permit. The applicant shall obtain the official application materials from the City. Submittal requirements shall be as outlined on the official form and any other requirements that the City deems necessary to understand the proposal, including a Site Plan. The applicant shall submit the official application and associated materials, together with the applicable fee, to the City. Temporary Uses which, in the opinion of the City, meet all the following criteria shall not require posting:

1. The use and/or structure complies with all applicable codes and Ordinances;

    a. The use and/or structure does not interfere with pedestrian access ways, fire lanes, driveway entrances, or traffic visibility at driveways or street intersections;

    b. Parking on the property is adequate to serve any existing permanent use and the temporary use;

    c. The temporary use shall not be conducted between the hours of 10 p.m. and 7 a.m., excluding Donation/Recycling Drop-Off Boxes; and,

    d. The City Traffic Engineer or functional equivalent, or designee of that official, approves vehicular access for the proposed temporary use.

C. Review and Approval

Application for a Temporary Use Permit shall be reviewed by the Development Services Department who shall approve, conditionally approve, or disapprove the application. Approval shall be given only when in the judgment of the City such approval is consistent with the intent and purpose of this section. In considering the application, the City may include, but are not be limited to, the following conditions:

1. Regulation of parking, dust control measures, and site lighting.

2. Regulation of hours of operation.
3. Regulation of site ingress and egress.
4. Assurance of compliance with building, fire, electrical, and all other appropriate codes.
5. Such other conditions deemed necessary to carry out the intent and purpose of this section.
6. All signage proposed for the temporary use or event shall be in compliance with Section 35.4.300. All signage shall obtain a separate sign permit.
7. The Division shall notify the applicant, in writing, of the decision to approve or deny the application, and shall state any conditions for approval or reasons for denial.
8. Issuance of Permits. To be issued a permit, the applicant shall sign an agreement with the City stating that within 72 hours of cessation of the use or expiration of the permit, whichever occurs first, the site shall be restored to the same condition prior to commencement of the temporary use.
9. Time Limits and Renewal of Permits. All Temporary Use Permit approvals shall be subject to a time limit as set forth by the City.
10. Temporary Use Permits for Donation/Recycling Drop-Off Boxes may be permitted for a renewable duration not to exceed 3 years, or as determined by the City. Each renewal requires a new Temporary Use Permit application and fee.
11. All other Temporary Use Permits shall be limited to a maximum of thirty (30) consecutive days per event, and the cumulative total of all Temporary Uses shall not exceed ninety (90) days per calendar year per lot. A maximum of 12 Temporary Use Permits shall be granted per lot or complex per calendar year.
12. Each occurrence of a Temporary Use and each distinct Temporary Use on a property shall require separate submittal and approval of a Temporary Use Permit Application.

35.6.214 Establishing a Historic Preservation (HP) District

A. General

1. An application to establish Historic Preservation Districts shall be filed as provided by Section 35.6.202.
2. The Historic Preservation Officer shall compile and transmit to the Historic Preservation Commission a report on the property in the application, including the location, condition, age, historical features, and other relevant features and information, with a recommendation to grant or to deny the application and the reasons for the recommendation.
3. The Historic Preservation Commission shall set a date for public hearing on the application. Notice of the hearing shall be sent by first class mail to the property owner(s) and to the applicant at least fifteen (15) days prior to the hearing. The notice shall clearly state the implications of historic preservation zoning to the property owner(s). Notice of the hearing shall be posted fifteen (15) days prior to the hearing, on or near the property in one (1) or more locations so that the notice is visible to persons living or working in the neighborhood and to persons passing through the neighborhood. If the application to establish a Historic Preservation District is filed by someone other than the property owner(s), written notice shall be sent by first class mail to the property owner(s) within ten (10) days of application having been made.
4. The Historic Preservation Commission shall evaluate each parcel of property within an area that is included in the application for a demonstrated quality of significance in local, regional, state or national history, architecture, archaeology, engineering or

culture, and integrity of location, design, setting, materials, workmanship, feeling, and association according to the following criteria:

a. It is associated with events or persons that have made significant contribution to the broad patterns of Glendale's history; and/or

b. It embodies the distinctive characteristics of a type, period or method of construction or that represent the work of a master or that possess high artistic values; and/or

c. It has yielded or may be likely to yield information important in the understanding of the prehistory or history of the City of Glendale; and/or

d. It is at least fifty (50) years old, or has achieved significance within the past fifty (50) years if the property is of exceptional importance.

5. The Historic Preservation Commission shall, when applying the evaluation criteria in Paragraph 4 above, draw the boundaries of a Historic Preservation District as carefully as possible to ensure that:

   a. The district contains documented historic, architectural or archaeological resources;

   b. The district boundaries coincide with documented historic boundaries such as early roadways, canals, subdivision plats, or property lines;

   c. The district boundaries coincide with logical physical or manmade features and reflect recognized neighborhood or area boundaries; and

   d. Other, non-historic resources or vacant land is included where necessary to create appropriate boundaries. Inclusion of these non-historic resources is important to ensure the maintenance of the historic streetscape and avoid insensitive construction and demolitions adjacent to contributing properties.

6. The Historic Preservation Commission shall also review proposed exterior design guidelines for the district to ensure that distinctive features will be preserved and enhanced. The design guidelines shall address height, proportions, scale, materials, relationship of building masses and spaces, roof shape, and site improvements, such as landscaping, parking, and signage, as they relate to the identity of the Historic Preservation District. Exterior paint colors will not be included in these guidelines. These guidelines shall be adopted at the time of designation.

7. Following the hearing, the Historic Preservation Commission shall transmit to the Planning Commission the HP Commission's decision, report, and recommendations.

8. The process for establishing a Historic Preservation District shall then proceed in accordance with Section 35.6.202.

9. The procedure to remove the Historic Preservation District designation from property shall be the same as that required to establish it.

B. Temporary Restraint of Demolition

A process is established for the review of proposed demolitions of structures which are located in areas where an application for Historic Preservation District designation is under consideration.

1. A demolition permit shall not be issued for any property under application for Historic Preservation District zoning unless first approved by the Historic Preservation Officer, the Historic Preservation Commission, or the City Council on appeal. This shall apply

from the time the application is filed or initiated until final action is taken on the application by the City Council. This period shall not exceed one (1) year. Requests for demolition permits shall be referred to the Historic Preservation Officer.

2. The Historic Preservation Officer may administratively grant approval if the subject building clearly is of minimal historic or architectural significance because of its location, condition, modifications, or other factors, and its demolition will be inconsequential to the historic preservation needs of the area.

3. If the Historic Preservation Officer finds that the subject property does not clearly meet the conditions set forth in Subsection A of this section, the request for demolition shall be scheduled for public hearing before the Historic Preservation Commission to allow the commission to determine if the factors allowing for demolition have been met and for consideration of economic hardship factors.

4. The Historic Preservation Commission shall review the decision of the Historic Preservation Officer in light of the evidence presented at the hearing. At the hearing, the HP Commission shall either grant or deny the request. The request shall be granted only if the applicant demonstrates that:

    a. The building is of minimal historic or architectural significance because of its location, condition, modifications, or other factors, and its demolition will be inconsequential to the historic preservation needs of the area; or

    b. The denial of the demolition permit will result in an economic hardship to the property owner according to Section 35.2.1006.E of this ordinance.

5. The Historic Preservation Commission shall conduct a public hearing within sixty (60) days of the date of the formal request for a demolition permit. Notice of the application shall be posted on the property at least fifteen (15) days before the hearing. The request shall be deemed approved if the initial hearing by the HP Commission is not held within the required sixty (60) days or if the HP Commission has not made a final decision within one hundred eighty (180) days of the formal request for a demolition permit.

6. The Historic Preservation Commission's decision shall be final unless appealed by either the applicant or any aggrieved person within seven (7) working days of the action. If appealed, the matter shall be set for a public hearing before the City Council at their next available meeting. Notice of the hearing shall be posted on the property fifteen (15) days prior to the hearing. The City Council shall limit its review of the case to the record of the HP Commission; as established by the staff report, any exhibits, minutes and/or transcripts, and any audio/visual tape of the proceedings. New testimony will not be accepted for consideration; however, each side may make a limited presentation on the evidence in the record of the HP Commission. Such presentation shall be limited to a maximum of five (5) minutes per side unless greater time is granted by the Mayor. Except as otherwise provided in this article, City Council members who review written communications or engage in verbal communications which are not part of the HP Commission's record shall disclose any such communications during the appeal public hearing. The City Council must make its decision within sixty (60) days of the filing of an appeal or the application is deemed approved. At this public hearing, the City Council may do one (1) of the following:

    a. Affirm the decision of the Historic Preservation Commission;

    b. Reverse the decision of the Historic Preservation Commission; or

    c. Remand the application to the Historic Preservation Commission for reconsideration.

7. In the event demolition approval is denied, no permit for demolition shall be issued for one (1) year from the date of the Historic Preservation Commission's initial hearing on

the subject property unless a subsequent demolition approval has been requested and granted. If Historic Preservation District zoning has not been placed on the property at the time of expiration of the one (1) year, the Historic Preservation Officer shall grant demolition approval.

8. At the time of adoption of Historic Preservation District zoning, the temporary restraint of demolition and any stays of demolition in effect shall expire. Demolition at that time shall be regulated by Section 35.2.1006.F of this ordinance.
9. Demolition approval may be conditioned on stipulations which provide for rights of access to the property for the purposes of documentation or for agreed upon removal of artifacts.
10. A request for a demolition permit shall be exempt from these requirements if the Building Safety Director determines, and the Historic Preservation Officer has been notified in writing, that the building currently is an imminent hazard to the public safety and that necessary repairs would be impractical.

ARTICLE 7 - COMPLIANCE & NONCONFORMITIES

This Article establishes procedures through which the City seeks to ensure compliance with the provisions of this Code and obtain corrections for violations. The Section also sets forth the remedies and penalties that apply to violations of this Code.

This Article also regulates and restricts uses, structures, lots, site characteristics, and signs that were established legally prior to the adoption or amendment of this Code but do not conform to the requirements of this Code. All such situations are collectively referred to in this chapter as “nonconformities.”

35.7.000 COMPLIANCE

35.7.001 Generally

A. If any building or structure is erected, constructed, reconstructed, altered, repaired, converted or maintained, or any building, structure or land is used in violation of the provisions of this UDC or any amendment, the City may use any one (1) or more of the following actions:

1. Issue an order of abatement;
2. Issue a Notice and Order to Comply;
3. Pursue criminal prosecution;
4. Issue a civil citation; or
5. Seek an injunction from Superior Court.

B. No building permit may be lawfully issued nor shall a Certificate of Occupancy be granted until the Development Services Director or designee has given authorization indicating all requirements of this UDC, all conditions and stipulations of approval, and any other specific project related requirements have been met.

C. Violation of stipulations, conditions of approval, or any other requirement of this UDC, of an administratively issued permit, or conditional use permit is a violation of this ordinance and shall subject such permit to revocation if the violation is ongoing or repeated. Revocation of any such permit may be made by the approving entity after notice and hearing.

35.7.002 Enforcement and Penalties

A. The Development Services Director or designee shall be responsible for the enforcement of this UDC.

B. Any person, firm or corporation violating any provision of this UDC, or any amendment shall be guilty of a Class I misdemeanor, punishable by a fine or imprisonment, or by both fine and imprisonment. Any such person, firm or corporation shall be deemed guilty of a separate offense for each and every day during which any violation is committed, continued or permitted. The owner, lessee, tenant or other person in possession of any property used in violation of this UDC shall be responsible for any violation whether or not the owner or any related party has committed the prohibited act or acts or has neglected to prevent the performance of the prohibited act or acts by another person.

C. In addition to, or independent of the penalties provided above, the City may bring a civil proceeding in a court of competent jurisdiction to enforce compliance with the terms of the Glendale UDC or to prevent, restrain or abate any violation of the terms of the Glendale UDC.

D. Any violation of this ordinance or of conditions or stipulations of issuance of any administrative or conditional use permit or variance is declared to be a public nuisance, and instead of, or in addition to, any other criminal or civil enforcement measure authorized by this ordinance, may be enjoined or restrained by the City as other nuisances are abated under authority of the City Charter and applicable State Law.

35.7.100 LEGAL NON-CONFORMITY

35.7.101 Purpose

The purpose of this Section is to establish criteria for regulating and protecting legally non-conforming uses, buildings, structures, lots, and sites while promoting future conformance with this Unified Development Code.

35.7.102 Generally

E. This article provides for the regulation of nonconforming buildings, structures, uses and lots. These regulations are designed to protect the rights of legally existing nonconforming uses, structures and buildings, but not promote expansion or enlargement. The site, building, structure or use will be encouraged to convert to a conforming use in the future. Any use or activity lawfully conducted under County zoning regulations at the effective date of annexation or under previous zoning regulations in effect at the adoption of this ordinance, or any amendment, shall be considered a legal nonconforming use under this ordinance. Changes of ownership, tenancy, or management of property with an existing legal non-conformity may occur, but such non-conformities shall continue to be subject to the provisions of this Section.

F. The City Council, by ordinance, may authorize the acquisition of private property by purchase or condemnation for removal of nonconforming uses and structures.

35.7.103 Path to Conformity

A. Uses

1. The physical expansion of a non-conforming use or an increase in its intensity, including hours of operation, within an additional building, structure, or land area shall be prohibited.

2. A legally non-conforming use that has ceased operation for a period of six (6) months may only be re-established if in conformance with the current regulations for the current zoning district in which the property is located.
3. Legally non-conforming uses that were forced to cease operations due to natural disaster, fire, flood, or public unrest may re-establish operation within twelve (12) months without full conformance with this Code; however, the property owner or business agent shall negotiate partial compliance or incremental improvement with the Development Services Director or designee. Negotiations shall contemplate updated site improvements, parking, façade treatment, and/or business intensity.
4. Uses brought into conformance with this Code shall not be permitted to revert to a previous non-conforming use.
5. If, through the adoption of this Code or a subsequent amendment, a Conditional Use is redesignated as a Permitted Use in a given zoning district, any such use currently operating under a Conditional Use Permit shall be considered a Permitted Use and the Conditional Use Permit shall be null and void.

B. Buildings and Structures

1. Repairs and maintenance of legally non-conforming buildings and structures are permitted provided such activity does not increase the non-conformity.
2. Permanent or temporary relocation of any building or structure shall conform to the regulations for the zoning district within which it is located.
3. Damaged or partially destroyed legally non-conforming buildings or structures due to natural disaster, fire, flood, or public unrest, may be reconstructed to its original condition provided:

    a. Up to fifty percent (50%) of the original gross floor area may be restored to its previous condition, and

    b. Building permits for restoration shall been obtained within twelve (12) months of damage or destructive event.

4. Nothing in this Section shall prevent the restoration of a building or structure present on the National Register of Historic Places, the Arizona State Register of Historic Places, or the Glendale Register of Historic Places.

C. Lots

1. Legally non-conforming lots (i.e. sub-standard dimensions or area) shall develop in accordance with the regulations associated with zoning district within which the lot is located.

D. Sites

1. All legally non-conforming sites with existing improvements, such as parking, access, and landscaping, shall be brought into compliance through the Design Review process at the time of new development or improvement.

E. Signs

1. See Section 35.4.303 Non-Conforming Signs.

ARTICLE 8 - DEFINITIONS

35.8.000 GENERAL PROVISIONS

35.8.001 Rules of Construction

For the purpose of carrying out the intent of this UDC, certain terms or words used herein shall be interpreted or defined as follows:

A. Words used in the present tense include the future, words used in singular include the plural and words in the plural include the singular.

B. The word "shall" is mandatory.

C. The word "person" includes an individual, firm, co-partnership, joint venture, association, social club, fraternal organization, corporation, estate, trust, receiver, syndicate, or any other group or combination acting as a singular entity, including the federal and state government, another City, county, or school district, except as exempt by law.

D. The following words or terms when applied in this ordinance may be used interchangeably unless contrary to the circumstances: lot, plat, parcel or premises; "used" or "occupied" as applied to any land or building shall be construed to include the words, "intended, arranged or designed to be used or occupied"; and "building" applies to the word "structure."

E. Illustrations and photographs are included in this UDC for illustrative purposes only. In case of any difference of meaning or implication between the text of this UDC and any illustration or photograph, the text shall control.

F. Whenever reference is made to a resolution, ordinance, statute, regulation, or document, it shall be construed as a reference to the most recent edition of such regulation, resolution, ordinance, statute, regulation, or document, unless otherwise specifically stated.

(Ord. No. 1772, 6-23-93)

35.8.002 Commonly Abbreviated Terms

The term "City" shall mean the City of Glendale; "Council" shall mean the Council of the City of Glendale; "Commission" shall mean the Planning Commission; and "Board" shall mean the Board of Adjustments.

(Ord. No. 1772, 6-23-93)

35.8.003 Use Standard Definitions

A. Agriculture Use Category

Agriculture, General: The use of land for agricultural purposes, where growing and harvesting activities associated with horticulture, floriculture, viticulture, and associated apiaries and grazing of livestock uses along with necessary accessory uses (such as greenhouses/nurseries, incidental raising of agricultural animals, or the storage of agricultural related equipment used on the premises and temporary storage of agricultural products used and/or produced on the premise) takes place; provided, however, that the operation of any such accessory use shall be secondary to that of the normal

agricultural activities. General Agriculture uses may or may not be owner-occupied and may utilize employees who are not owners or family of the owners. This use includes supporting office uses and wholesale of produce and plants, but does not include on-site retail sales of produce or plants. This use does not include agriculture, intensive operations such as dairies, commercial animal breeding, concentrated animal feeding operations (CAFO), slaughter and meat packing plants, or fertilizer yards.

Agriculture, Intensive Operation: A lot or building or combination of contiguous lots or buildings, designed and intended for the confined feeding, breeding, raising, or holding of animals (including commercial feedlot, hog operations, dairies, and raising and marketing of chickens/eggs or turkeys). Feed is brought to the animals rather than the animals grazing or otherwise seeking feed in pastures, fields, or on rangeland and vegetative cover is not maintained within the enclosure. The facilities are specifically designed as a confinement area where manure may accumulate and the concentration of animals is such that vegetative cover is not maintained within the enclosure. Use also includes fertilizer yards.

Agriculture, Stables: The use of lands, buildings, or structures for the purpose of commercial boarding of horses, rental of horses to the general public for riding purposes, and/or training of horses or riders, but does not include equestrian events, horse racing, or the overnight accommodation of patrons. For the purposes of this section, equestrian events shall mean equine related events that are juried, provide instruction or demonstration by exhibitors, and/or where the general public will be invited.

Agritainment: Ongoing or seasonal events and/or activities, whether for remuneration or not, of an agricultural nature that are offered to the public for the purpose of recreation, entertainment, and/or education.

Urban Agriculture, Noncommercial: The cultivation of food and/or horticultural crops. Such use may include the production and sale of food products from food grown on the premises. Noncommercial urban agriculture may be divided into separate plots for cultivation by one or more individuals or may be farmed collectively by members of the group and may include common areas maintained and used by group members. This definition includes gardens, container gardens, edible landscapes, residential greenhouses, herb gardens, vegetable gardens and other similar activities. Urban agriculture uses shall not include the raising of animals.

B. Residential Use Category

Bed & Breakfast: A single-family detached dwelling, which is occupied by a resident manager or owner, and transient lodging and meals are provided for compensation that does not meet the definition of a "Hotel or Motel" or "Short-Term Rental".

Dwelling, Duplex: A single building containing two dwelling units located on individual or separate lots designed for or used by a single housekeeping unit living independently of each other. Dwelling units are typically attached by a common vertical wall and may be side by side or up and down.

Dwelling, Live/Work: An integrated dwelling unit and working space, occupied and utilized by a single housekeeping unit in either a detached single-family structure located behind the principal workplace or a unified structure that has been designed or structurally modified to accommodate joint residential occupancy and work activity, and which is in compliance with all applicable building codes; and the working space is reserved for and regularly used by one or more occupants of the unit.

Dwelling, Manufactured Home: A building built on or after June 15, 1976, in accordance with the National Manufactured Home Construction and Safety Standards Act of 1974 and Title VI of the Housing and Community Development Act of 1974. Manufactured homes are typically built on permanent chassis and designed to be used with or without a permanent foundation when attached to the required utilities. The term includes park models, but does not include a mobile home, modular home, or a recreational vehicle.

Dwelling, Mobile Home: A structure, transportable in one or more sections, that is at least eight feet in width and 32 feet in length and that is built on a permanent chassis and designed to be used as a dwelling unit, with or without a permanent foundation, when connected to on-site utilities, and that was not constructed in accordance with the National Manufactured Home Construction and Safety Standards Act of 1974 and Title VI of the Housing and Community Development Act of 1974. A modular or prefabricated house shall not be considered a mobile home.

Dwelling, Modular Home: A prefabricated, factory-built dwelling unit, excluding mobile homes and manufactured homes defined herein. Such housing is certified as meeting the state and local building codes as applicable to modular housing and shall be considered equivalent to a site-built building and which requires substantial assembly on site. Also referred to as ""factory built"" in Department of Building, Fire and Safety Rules, State of Arizona.

Dwelling, Multi-Family: A single building or buildings containing three or more dwelling units on an individual lot for occupancy by a housekeeping unit living independently of each other. Within apartments, the building and land are under single ownership and dwelling units are rented or leased. Within a condominium, ownership consists of the airspace within a unit and the building(s) and all land within the development is under common ownership.

Dwelling, Single-Family Attached: A dwelling unit designed for or used by one housekeeping unit, located on an individual lot, and having any portion of one or more walls in common with adjoining dwelling units. Each dwelling unit has its own external entrance.

Dwelling, Single-Family Detached: A dwelling unit designed for or used by one housekeeping unit, located on an individual lot, and having no walls in common with adjoining dwellings.

Dwelling, For Rent Community: A professionally managed residential community comprised of multiple detached or attached single-family dwellings that are designed for and used by one housekeeping unit, where all dwellings are collectively located on a single lot and are presented for rent only.

Group Care Facility: See Section 35.3.102.F

Manufactured Home Park: Any lot, tract or parcel of land licensed and used or offered for use in whole or in part, with or without charge, for the parking of occupied manufactured/mobile homes and travel trailers and used solely for living or sleeping purposes.

Manufactured Home Subdivision: A subdivision for residential use by mobile homes, manufactured homes or single-family homes as otherwise permitted in the zoning district.

Mixed-Use Residential: A single building that contains a mixture of residential dwelling units and commercial retail sales, service or office uses.

Model Home Complex: The area in an approved subdivision that is used by a home builder as the location of the homes to be used as models for the home builder's development.

Residential Care Center: See Section 35.3.102.F

Residential Care Home: See Section 35.3.102.F

Senior Care, Assisted Living, and Memory Care Facilities: Establishment with individual rooms that provides 24-hour medical, convalescent or chronic care for the housing of and caring for the ambulatory, aged or infirm; other than a group home or hospital; licensed by the Arizona State Department of Health services for more than eleven (11) persons. Care givers are present at all times, and may (or may not) reside at the site. Facilities typically include common kitchen and dining areas, but may contain individual kitchenettes for residents.

Short-Term or Vacation Rental: As defined by Arizona Revised Statute 9-500.39. Any rental use that is not considered "transient" as defined by A.R.S. 42-5070 shall not be considered a short-term or vacation rental.

C. General Commercial and Professional Office Use Category

Adult Business or Sexually Oriented Business: Any adult arcade, adult bookstore, or novelty store, adult cabaret, adult motel, adult theater, nude model studio, semi-nude business, or topless bar.

Alcoholic Beverages, Retail Sales: A retail establishment, such as a liquor store, licensed to sell alcoholic beverages such as beer, wine, and liquor. No on-site consumption is allowed.

Animal Supply and Feed Store: A retail establishment that provide sales of pet supplies including feed and grain. This use does not include the sale of any animals generally considered to be household pets.

Animal Pet Day Care Facility: a retail establishment in which household pets are kept regularly for the primary purpose of day care for the benefit of persons who do not reside on the premises. Facilities may provide shelter, feeding, grooming and retail sales. This shall not include breeding or raising of household pets or animals or facilities for which the primary use is overnight pet boarding.

Animal Pet Store: A retail establishment devoted or partly devoted to the commercial trade of selling live animals for use as pets.

Antique Shop: A retail business specializing in the sale of merchandise made in, or typical of, a previous era. Typical merchandise includes, but is not limited to, furniture, silverware, glassware, and other collectibles. Items shall not be donated for resale, but may be displayed on consignment.

Art Gallery/Studio: A facility or area that is open to the public and is intended for the display, appraisal, purchase, sale, loan, of art books, paintings, sculpture, or other works of original art that have architectural, artistic, cultural, literary, historical, or scientific value. Accessory uses can include working production studio, meeting rooms, or cafes.

Automotive Commercial Parking Lot: An open paved area at ground level used for the sole purpose of parking motor vehicles with or without a parking fee. This use does not include parking structures or parking lots that are ancillary to a permitted principal use.

Automotive, Parking Structure: A structure or portion of a structure composed of one or more levels or floors used exclusively for the parking or storage of motor vehicles. A parking structure may be totally below grade (as in an underground parking garage) or either partially or totally above grade, with those levels being either open or enclosed. This use does include parking structures that are ancillary to a permitted principal use, but does not include a primary use commercial parking lot.

Automotive and Recreational Vehicle Rentals: Rental of automobiles, recreational vehicles or boats, including storage and incidental maintenance.

Automotive and Recreational Vehicle Sales: Sales or leasing of automobiles, motorcycles, trucks, recreational vehicles and boats, including storage and incidental maintenance.

Automotive Refueling Station: A facility limited to retail sales to the public of gasoline, biodiesel, electricity, ethanol fuel blends, hydrogen, natural gas or other fuels for motor vehicles, as well as motor oil, lubricants, travel aides, tire inflation, and minor automobile accessories.

Automotive Repair and Service, Major: Repair of automobiles, boats, trucks, motorcycles, and recreational vehicles, including the sale, installation, and servicing of related equipment and parts, generally on an overnight basis. This classification includes engine repair shops; body, and fender shops, transmission shops, restoration, refurbishing, but excludes dismantling or salvaging and tire re-treading or recapping.

Automotive Repair and Service, Minor: The service and repair of automobiles, boats, light-duty trucks, and motorcycles, including the sale, installation, and servicing of related equipment and parts. This classification includes quick-service oil, tune-up, wheel and brake shops, muffler shops, auto glass services, battery replacement and tire sales and installation, where repairs are made or service provided in enclosed bays and no vehicles under service are stored outside overnight. This classification excludes

establishments providing engine repair, body, and fender work, vehicle painting, or towing; repair of heavy trucks, construction vehicles, or boats that exceed 9 feet in width by 30 feet in length; and also repair shops that are part of an automotive sales facility on the same site.

Bar or Cocktail Lounge: An establishment where the primary use is to serve spirituous liquors to be consumed on the premises. Food may be served as a secondary use.

Car Wash: A facility for washing, cleaning, drying and waxing of passenger vehicles, recreational vehicles, or other light duty equipment. A car wash may be self-service or full service.

Coffee Shop, Cafe or Bakery: Establishments that primarily serve nonalcoholic beverages, such as coffee, juices, or sodas for consumption on or near the premises, or a specialty snack, such as ice cream, frozen yogurt, cookies or popcorn. This also includes retail bakeries such as a donut shop, pastry shop, cake shop, and similar types of businesses.

Commercial Entertainment, Indoor: A use providing entertainment, diversion, or pleasure that comes from watching a performer, sports competition, etc. whether public or private, conducted indoors as a business, including concert halls, performance theatres, stadiums, and uses analogous to these uses that typically have assigned seating. Accessory uses may include restaurants, bars, concessions, parking, and maintenance facilities.

Commercial Entertainment, Outdoor: A large open or partially enclosed space most often used for the viewing of games or major events, and partly or completely surrounded by tiers of seats for spectators. Accessory uses may include restaurants, bars, concessions, parking, and maintenance facilities.

Convenience Store: Retail establishments that sell a limited line of groceries, prepackaged food items, tobacco, magazines, and other household goods, primarily for off-premises consumption and typically found in establishments with long or late hours of operation and a relatively small building of less than seven thousand five hundred (7,500) square feet.

Deferred Presentment Companies: Any person(s) or establishment engaged in the business of cashing checks or accepting deferred deposits for a fee, service charge, or other consideration. This includes payday or check-cashing facilities and bail bond services. Such uses are not licensed banks, trust companies, savings and loan associations, credit unions, development corporations, mortgage brokers, thrift companies, pawn brokers, or insurance companies.

Donation Center: A center operated by an organization that collects donated clothing and household items. A center which sells donated items shall be considered a Thrift Store.

Drive-Through: A facility where food or other products may be purchased, or where services may be obtained by motorists without leaving their vehicles. Examples of drive-through facilities include fast-food, coffee, dairy product, pharmacies, bank teller windows, dry cleaners, etc., but do not include automated teller machines (ATMs), refueling stations or other automotive services, which are separately defined.

Financial Institutions: An establishment that provides banking services, lending, or similar financial services to individuals and businesses. This definition includes those institutions engaged in the on-site circulation of cash money and check-cashing facilities, but shall not include deferred presentment companies.

Health and Fitness Centers: A facility primarily featuring equipment for exercise and other active physical fitness and/or recreational sports activities, such as swimming, racquet sports, aerobic dance, gymnasium facilities, yoga, and other kinds of sports and fitness facilities.

Hotel/Motel: A building which provides six (6) or more guest rooms for the lodging of travelers and other temporary residents, and may include customarily incidental uses such as meeting rooms, restaurants, and cocktail lounges.

Hotels, Resort: An establishment that is a self-contained development providing visitor-oriented lodging and accommodations with developed recreational facilities in a setting with high natural or man-made amenities.

Household Appliance, Furniture, and Small Equipment Sales Rentals: An establishment that provides household appliances such as washers, dryers, refrigerators; furniture such as sofas, beds and dining sets; or small equipment such as TV's for a limited period of time or on a rent to own basis, mainly to individual consumers. This use is not Heavy equipment sales or rental facility.

Laundry, Commercial: A service establishment engaged primarily in high volume laundry and garment services, including: carpet and upholstery cleaners; dry cleaning and garment pressing; commercial laundries; linen supply. These facilities may include accessory customer pick-up facilities. These facilities do not include coin-operated laundries or dry cleaning pick-up stores without dry cleaning equipment; see "Personal Services."

Massage/Spa Establishment: Any establishment or business which provides the services of massage and body manipulation, including exercises, heat and light treatments of the body, and all forms of physiotherapy, unless operated by a medical practitioner, chiropractor, or professional physical therapist licensed by the State of Arizona. This definition shall include stand alone day-spas. This definition does not include an athletic club, hotel, resort or similar establishment where massage or similar manipulation of the human body is offered as an identical or accessory service. A massage establishment may not include any aspects of adult entertainment or an adult-oriented establishment, as either are elsewhere defined and regulated in this Ordinance.

Marijuana Facilities:

Chemical Extraction - means the process of removing a particular component of a mixture from others present, including removing resinous tetrahydrocannabinol from marijuana.

Chemical Synthesis - means production of a new particular molecule by adding to, subtracting from, or changing the structure of a precursor molecule.

Consume, consuming and consumption - The act of ingesting, inhaling, or otherwise introducing marijuana into the human body.

Consumer - means an individual who is at least twenty-one (21) years of age and who purchases marijuana or marijuana products.

Cultivate and cultivation - To propagate, breed, grow, prepare, and package marijuana.

Deliver and *Delivery* - mean the transportation, transfer or provision of marijuana or marijuana products to a consumer at a location other than the designated retail location of a marijuana establishment.

Department - means the State of Arizona Department of Health Services or its successor agency.

Dual Licensee - means an entity that holds both a nonprofit medical marijuana dispensary registration and a marijuana establishment license.

Enclosed Area - means a building, greenhouse, or other structure that has:

(1) A complete roof enclosure supported by connecting walls that are constructed of solid material extending from the ground to the roof;

(2) Is secure against unauthorized entry;

(3) Has a foundation, slab or equivalent base to which the floor is securely attached; and

(4) Meets performance standards ensuring that cultivation and processing activities cannot be and are not perceptible from the structure in terms of not being visible from public view without using

binoculars, aircraft or other optical aids and is equipped with a lock or other security device that prevents access by minors.

Extract and *extraction* - The process of extracting or separating resin from marijuana to produce or process any form of marijuana concentrates using water, lipids, gases, solvents, or other chemicals or chemical processes.

Manufacture and *manufacturing* - To compound, blend, extract, infuse, or otherwise make or prepare a marijuana product.

Marijuana -

(1) Means all parts of the genus cannabis, whether growing or not, as well as the seeds from the plant, the resin extracted from any part of the plant, and every compound, manufacture, salt, derivative, mixture, or preparation of the plant or its seeds or resin.

(2) Includes cannabis as defined in state law.

(3) Does not include industrial hemp, the fiber produced from the stalks of the plant of the genus cannabis, oil, or cake made from the seeds of the plant, sterilized seeds of the plant that are incapable of germination, or the weight of any other ingredient combined with marijuana to prepare topical or oral administrations, food, drink, or other products.

Marijuana concentrate -

(1) Means resin extracted from any part of a plant of the genus cannabis and every compound, manufacture, salt, derivative, mixture, or preparation of that resin or tetrahydrocannabinol.

(2) Does not include industrial hemp or the weight of any other ingredient combined with cannabis to prepare topical or oral administrations, food, drink, or other products.

Marijuana Designated Caregiver Cultivation Location - An enclosed, locked facility such as a closet, room, greenhouse or other building that does not exceed 250 square feet of cultivation space where a designated caregiver, as defined by A.R.S. § 36-2801(5), cultivates marijuana. There shall be no identification of the location as a Marijuana Designated Caregiver Cultivation Location. Marijuana Cultivation must not be detectable from the exterior of the building in which the cultivation takes place.

Marijuana Dispensary - means a nonprofit medical marijuana entity as defined in A.R.S. § 36-2801(12) or a "Dual Licensee" as defined herein. A Marijuana Dispensary does not include a "Marijuana Establishment". A Marijuana Dispensary shall have a single secure entrance and shall implement appropriate security measures to deter and prevent the theft of Marijuana and unauthorized entrance into areas containing marijuana.

Marijuana Dispensary Offsite Cultivation Location - The additional location where marijuana is cultivated by a Marijuana Dispensary as referenced in A.R.S. § 36-2804(B)(1)(b)(ii).

Marijuana Establishment - means an entity licensed by the Department to operate a single retail location at which the licensee may sell marijuana to adults who are at least 21 years of age. *Marijuana Manufacturing Facility* - A facility that incorporates marijuana (cannabis) by the means of cooking, blending, or incorporation into consumable/edible goods.

Marijuana Products - means marijuana concentrate and products that are composed of marijuana and other ingredients and that are intended for use or consumption, including edible products, ointments, and tinctures.

Marijuana Qualifying Patient - A person who has been diagnosed by a physician as having a debilitating medical condition as defined in A.R.S. § 36-2801(13).

Marijuana Qualifying Patient Cultivation Location - An enclosed, locked facility such as a closet, room, greenhouse, or other building that does not exceed 50 square feet of cultivation space where a qualifying patient, as defined by A.R.S. § 36-2801(13), cultivates marijuana. The qualifying patient cultivation location must be accessory to the qualifying patient's primary residence. Marijuana Cultivation as an accessory use to the qualifying patient's primary residence must not be detectable from the exterior of the building in which the cultivation takes place. Marijuana Cultivation as an accessory use to the qualifying patient's primary residence shall only be permitted if the residence is located at least 25 miles distant from a Marijuana Dispensary.

Marijuana Testing Facility - means the Department or another entity that is licensed by the Department to analyze the potency of marijuana and test marijuana for harmful contaminants.

Open space - A public park, public sidewalk, public walkway, public trail, preserve, public pedestrian thoroughfare, or public rights-of-way, to include but limited to: a public roadway, highway, street, public sidewalk, alley, waterway, or utility easement in which the City of Glendale has an interest.

Person - means an individual, partnership, corporation, association, or any other entity of whatever kind or nature.

Process and *Processing* - means to harvest, dry, cure, trim or separate parts of the marijuana plant.

Public place - The same meaning prescribed in state law, pursuant to the Smoke Free Arizona Act.

Smoke - To inhale, exhale, burn, carry, vape, or possess any lighted marijuana or lighted marijuana products, whether natural or synthetic.

Medical Offices and Clinics: A public or private facility primarily engaged in furnishing, on an outpatient basis, chiropractic, dental, medical, surgical, medical imaging, or other services to individuals, including the offices of chiropractors, physicians, dentists, drug therapists, rehabilitation therapists and other health practitioners, medical and dental laboratories, outpatient care and outpatient care facilities. Patients are not kept overnight except under emergency conditions.

Medical, Hospitals: A public or private facility, which can include multiple buildings, for the accommodation of sick, injured, or infirm persons, and for the provision of related outpatient services. Services regularly include the keeping of patients overnight. Accessory uses include heliports and related facilities, and parking.

Medical, Urgent Care: A facility other than a hospital, where medical, mental health, surgical and other personal health services are provided exclusively on an outpatient basis by a group of physicians working in cooperation and sharing the same facilities. Typically operates beyond standard medical office hours and may provide emergency treatment. May include educational aspects such as medical instruction and/or training as well as house a lab, radiology, pharmacy, rehabilitation, and other similar services as accessory uses. Does not include hospitals. Counseling services by other than medical doctors or psychiatrists are included under “Offices—Professional.”

Microbrewery or Craft Distillery: A facility for the brewing of beer or distilling of alcohol for onsite consumption as well as wholesale and retail sale, subject to State licensing requirements. Food and/or other alcoholic beverages may also be served.

Nightclub and Live Entertainment: A commercial establishment dispensing alcoholic beverages for consumption on the premises and in which dancing and live or pre-recorded entertainments are permitted, examples of which include live music, DJ performed music, comedy, etc.

Office, Business or Professional: An establishment that provides executive, management, administrative, or professional services, but not involving the sale of goods and merchandise except as directly related to the principal use, and not including a medical office or clinic. Typical examples include real estate, insurance, property management, investment, employment, travel, advertising, law, architecture, design, engineering, accounting, broadcasting, call centers, and similar offices.

Pawn Shops: An establishment where money is loaned on the security of personal property pledged in the keeping of the owners (pawnbroker).

Personal Services: Establishments primarily engaged in providing services involving the care of a person or of the care or repair of his or her personal goods or apparel. Personal services usually includes but is not limited to: laundry, including cleaning and pressing service or coin-operated, beauty shops, nail salon, barbershops, small appliance repair, shoe repair, personal copying/shipping services, health spas, photographic studios, tailor/seamstress shop, tanning salon, and similar uses. This definition does not include "Laundry, Commercial."

Recreation, Indoor: An establishment offering recreation, game playing, rides, or similar amusements to the public within an enclosed building. This shall include movie theaters, arcades, bowling alleys, billiard parlors, bingo parlors, and laser tag parlors. This use excludes adult business or sexually oriented businesses and gambling.

Recreation, Outdoor: Intensely developed recreational uses where the general public typically participates, lighted or unlighted, such as amusement parks, miniature golf courses, batting cages, motocross courses, water parks or slides, courses for paramilitary games, outdoor concert venues, and archery facilities.

Restaurant: A retail business selling ready-to-eat food and/or beverages for on- or off-premises consumption. These include:

- Counter Ordering. An establishment where customers are served from a walk-up ordering counter for either on- or off-premises consumption;
- Table Service. An establishment where customers are served food at their tables for on-premises consumption, which may also provide food for take-out;
- Outdoor Dining. An establishment with either counter ordering or table service that provides a defined outdoor area for eating;
- Serving Alcohol. Any of the above restaurants, which serve beer, wine or distilled spirits with the meal.
- A restaurant may include ancillary catering services

For restaurants with drive throughs, see "Drive-Through" for further definition and regulation.

Retail, General: Establishments engaged in selling goods or merchandise to the general public for personal or household consumption and rendering services incidental to the sale of such goods. Any such uses shall include pharmacies, wearing apparel, home furnishings, hardware stores, jewelry stores, variety stores, gift shop, retail printing, bookstores, florists and similar uses. This use does not include any form of retail sales or other use specifically listed under another use classification within Table 2.500-1.

Retail, Large: A single retail establishment that provides goods directly to the consumer, where such goods are available for immediate purchase and removal from the premises by the consumer, and which occupies more than seventy-five thousand (75,000) square feet of gross floor area. Any such uses shall include grocery stores, apparel shops, appliance stores, electronic stores, department stores, home improvement stores, furniture stores, membership based wholesale retail stores, factory outlet stores, and similar uses. This use does not include any form of retail sales or other use specifically listed under another use classification within Table 2.500-1.

Retail, Smoke/ Vape Shop: A cigar shop, hookah lounge, head shop, electronic cigarette or other retail establishment where the primary activity is the sale of tobacco and smoking related goods/paraphernalia. Smoke shops do not include any individual business establishments that contain tobacco departments/sections that are ancillary to their principal use.

Shooting Range, Indoor: a totally enclosed facility designed to offer a controlled shooting environment that includes impenetrable walls, floor and ceiling, adequate ventilation and lighting systems, and acoustical treatment for sound attenuation suitable for the range's approved use.

Shopping Center, Community: A planned commercial development intended to meet the consumer demands of large segments of the community by accommodating multiple retailers in a large-scale shopping environment. These centers are designed to serve residents of an entire community and attract regional shoppers as well. Uses include everything from small shops to the biggest of the big box retailers, as well as entertainment and restaurants. Community shopping centers are to be planned, developed and operated as single entities, with shared access and parking and common architecture, landscaping, and signage.

Shopping Center, Neighborhood: A planned commercial development intended to meet the consumer demands of surrounding neighborhoods. Uses focus on satisfying daily commercial and service business needs, but are compatible with adjoining residential neighborhoods. Large, community-scale uses are not permitted. Neighborhood shopping centers are to be planned, developed and operated as single entities, with shared access and parking and common architecture, landscaping, and signage.

Tasting Room: A facility for alcoholic beverage tasting and retail sales of related merchandise to customers who are physically present at the tasting room, subject to State licensing requirements.

Tattoo and Piercing Studio: An establishment that produces an indelible mark or figure on the human body by scarring or inserting pigment under the skin using needles, scalpels, or other related equipment.

Thrift Store: A profit or nonprofit business or organization that engages in or specializes in the sale or resale of previously owned or used goods and merchandise from an area greater than twenty-five percent (25%) of the total floor area devoted to retail sales and whose merchandise is donated or principally donated. A specialty retail store which sells used merchandise not donated for sale including, but not limited to, used record stores, used book stores, used furniture stores, and sports trading card stores, shall not be considered a thrift store for the purpose of this ordinance.

Veterinarian Clinic: A facility used by one or more licensed veterinarians to provide medical services to household pets (e.g., dogs, cats, rabbits, iguanas, etc.) and/or 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 that are not under medical care.

Veterinary Hospital: Any establishment operated by a veterinarian licensed to practice in the state that provides clinical facilities and houses animals or birds for dental, medical or surgical treatment typically on a walk-in basis, 24 hours per day, 7 days per week. A veterinary hospital may have adjacent to it or in conjunction with it or as an integral part of it, pens, stalls, cages or kennels for quarantine, observation or boarding. Does not include overnight boarding of animals that are not under medical care.

D. Industrial Use Category

Animal Kennel/Shelter: A place where four or more dogs over the age of 3 months are boarded, bred, or offered for sale. A facility that accepts and/or seizes domestic animals for the purpose of boarding them overnight, caring for them, placing them through adoption, or carrying out law enforcement. A zoo, pet store, pet day care, veterinary clinic, animal hospital, and animal husbandry are not considered a kennel.

Animal Training, Outdoor: An outdoor facility that specializes in the training of household pets.

Automotive Wrecking and Salvage Yard: A facility, whether inside or outside, where waste or scrap materials are bought, sold, exchanged, collected, salvaged, stored, baled, packed, disassembled, or handled, including, but not limited to, motor vehicles or parts thereof, used lumber, inoperable machinery or appliances, scrap metal and other metals. Where such materials are a by-product of a permitted use, such activity shall be considered "outdoor storage." Where similar materials such as

paper, glass, plastics and metal cans are processed for recycling, such activity shall be considered a "recycling center."

Broadcast Studios: An indoor facility that provides spaces to produce motion pictures, television and internet based shows, or radio broadcasts.

Broadcast Tower: means a tower designed and constructed for the principal purpose of supporting one or more radio and/or television antenna, but also allowing for other secondary purposes.

Building Material Sales: An establishment for the sale of materials, hardware, and lumber customarily used in the construction of buildings and other structures on a retail or wholesale basis. Display and sale of materials typically occurs inside a principal building, but storage of material occurs outside. Examples include lumber yards, stone slab suppliers, masonry suppliers, and artificial turf suppliers. This use is not a retail home improvement or hardware store, but may include the sale of material commonly found within such establishments.

Commercial Aviation Business: Facilities that include the design, development, production and operation of aircraft; this includes activities such as air operations; aircraft sales, aircraft repair, aircraft storage hangars and accessory uses; flying clubs; rental excursions of aircraft and air charter or cargo services.

Community Correctional Facility: A facility that provides lodging, meals, counseling, treatment, and rehabilitation to adjudicated delinquents, parolees, and individuals in pre-release (transitional) or diversionary programs from, or in lieu of confinement in, correctional institutions. The facility may also provide educational instruction or training.

Data Center: A facility whose primary service is data processing and is used to house computer systems and associated components, such as telecommunications and storage systems, including but not limited to web hosting organizations and internet service organizations. A server farm, telecom hotel, carrier hotel, telco hotel, telehouse co-location center, or any other term applicable to facilities which are used for these specified purposes shall be deemed to be a data center.

Distribution Center, Indoor: A building whose primary purpose is facilitating the receiving, storage, 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. Uses are not involved in manufacturing or production and include no outdoor storage of goods or materials.

Distribution Yard, Outdoor: An open site, completely enclosed by an opaque wall, whose primary purpose is facilitating the receiving, storage, 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.

Heavy Equipment Sales and Rental: An establishment engaged in the display, sale, and rental of equipment, tools, supplies, machinery or other equipment used for commercial, industrial, or construction enterprises, such as, but not limited to, trucks, trailers, semi-tractor trailers, farm equipment, bulldozers, cranes, backhoes, rollers, loaders, lifts, power generation or hand-held tools. This use includes the sale of farm-specific vehicles such as tractors, tillers, farm trailers, back hoes, graders, boom lifts, and front-end loaders, but not including “Automotive Sales or Rental.” Uses typically include outdoor display and storage.

Heliport: Any helistop which also includes all necessary passenger and cargo facilities; helicopter maintenance and overhaul, fueling service, storage, tiedown areas, hangars, and other necessary buildings and open spaces. Heliports include any of the uses of helistops.

Helistop: A designated landing area used for the landing and taking off of helicopters for the purpose of picking up or discharging passengers or cargo. No fueling or service facilities are permitted.

Manufacturing and Assembly, Major: The assembly, fabrication, or processing of goods and materials using processes that ordinarily have greater than minimal impacts on the environment, or that ordinarily have significant impacts on the use and enjoyment of adjacent property in terms of truck traffic, railroad activities, noise, smoke, fumes, visual impact, odors, glare, or health and safety hazards, or that otherwise do not meet the definition of ""Minor Manufacturing."" This use may include outdoor activities and outdoor storage. Heavy manufacturing generally includes processing and fabrication of products made from extracted or raw materials or products involving flammable, hazardous, or explosive materials and processes, uses involving the fabrication, use, or repair of heavy special purpose equipment. Examples of this use include beverage bottling plants, tool and die shops, motor vehicle or heavy machinery assembly, carpet or furniture manufacturing, metal fabrication, and stonecutting. "Major Manufacturing" shall not include any use that is otherwise listed specifically in Table 2.700-1.

Manufacturing and Assembly, Minor: The assembly, fabrication, or processing of goods and materials using processes that ordinarily do not involve significant truck traffic or railroad operations and do not create material amounts of noise, smoke, fumes, odors, glare, or health or safety hazards outside of the building or lot where such assembly, fabrication, or processing takes place, and where such processes are housed entirely within an enclosed building, except as may be authorized in this code. Minor manufacturing generally includes processing and fabrication of finished products predominantly from previously prepared materials along with incidental storage, sales, and distribution of such products. Examples of activities include but are not limited to fabrication of sporting goods or wearing apparel, small medical or specialty equipment, or musical instruments; commercial digital printing operations; finished wood products; fabricated metal products; and assembly of small appliances or electrical equipment. The term "Minor Manufacturing" shall not include any use that is otherwise listed specifically in Table 2.700-1.

Nursery, Retail: A full service retail sales establishment which sells plants that are purchased wholesale from off site. Accessory items can include packaged fertilizer, seed, mulch, and topsoil, as well as other garden or packaged items commonly associated with a retail nursery.

Product Processing: A facility that produces or processes materials and food for human consumption or use. This use includes but is not limited to commercial bakeries; dairy products processing; fats and oil product processing; fruit and vegetable canning, preserving, and related processing; grain mill products and by-products; meat, poultry, and seafood canning, curing, and by-product processing; miscellaneous food preparation from raw products; and dyeing and finishing of textile products including bulk laundry and dry cleaning services that are independent from food stores or restaurants.

Recycling Center: A facility in which recoverable resources such as newspapers, glassware, plastics, and metal cans are recycled, reprocessed, and treated to return such products to a condition in which they can again be used for production, and in which some of the operations or storage take place outside of an enclosed building. This facility is not a wrecking or salvage yard.

Research Laboratory: A facility for conducting medical or scientific research, investigation, testing, or experimentation; however, this does not include facilities for the manufacture or sale of products, except as incidental to the main purpose of the laboratory. This definition includes electronic and telecommunications laboratories, including assembly, but does not include manufacturing of products.

Resource Extraction and Processing: The on-site extraction of surface or subsurface mineral products or other natural resources, including but not limited to quarries, borrow pits, sand and gravel operations, oil and gas extraction, and mining operations. Such uses shall also include resource processing and bulk sale of material originating from on-site or off-site such as central mixing plants for cement or concrete, construction/landscape aggregate, asphalt processing and petroleum refining.

Storage, Recreational Vehicle: A facility where boats, trailers and/or recreational vehicles are stored inside or outside in covered or uncovered spaces that are leased to individuals, organizations, or businesses for self-service.

Storage, Self-Service: A building or group of buildings consisting of individual, self-contained units that are leased to individuals, organizations, or businesses for self-service storage of personal property.

Towing Business, with Impound Yard: Establishment that includes a lot or part of a lot used only for the temporary storage of damaged, abandoned or impounded motor vehicles, excluding salvage and sales. This use does not include "Automotive wrecking and salvage yards," except where separately permitted.

Travel Plaza/ Truck Stop: A facility whose primary purpose is to provide service and maintenance to commercial trucks and tractor-trailers, including bays for truck washing and fuel dispensing, but excluding the overhaul of large commercial trucks or engines. A travel plaza may also include overnight accommodations and restaurant facilities primarily for the use of truck crews. Other facilities may also be present, such as convenience markets and restaurants.

Waste Facility, Landfill: A planned and approved method or system of waste disposal in which the waste is disposed or buried in layers, compacted by earth or other approved methods, also known as sanitary landfill.

Waste Facility, Transfer Station: A facility or site where solid waste from households, businesses, and industries is transferred from one type of collection vehicle or container to another. Transfer activities are entirely within covered structures. A transfer station is an intermediary point between the locations of waste generation and the sites of ultimate processing or disposal. Does not include liquid waste transfer, hazardous or toxic waste disposal, solid waste disposal, or liquid waste recycling or refining activities.

Wholesale, Warehouse: An establishment primarily engaged in the sale, trade or distribution of finished goods and materials in large quantity to retailers or other businesses for resale to the general public or business customers, and limited retail uses when directly associated with the wholesale use. This use shall not include heavy manufacturing, agriculture intensive operations, food processing, bulk storage of hazardous or explosive materials, or scrap or salvage operations. Wholesale uses that sale to the general public, including membership-based uses, shall be considered retail, large.

E. Public and Semi-Public Use Category

Business or Trade School: A specialized instructional establishment that provides on-site training of business, artistic, or commercial skills, or a trade school that prepares students for jobs in a trade (e.g., carpentry). Examples include, but are not limited to, fine arts schools, computer instructional services, and driving schools.

Cemetery or Mausoleum: Property used for interment of deceased persons. Cemeteries may include associated mausoleums, columbaria and chapels. The term does not include "mortuary" or "crematory," except where separately permitted, and does not include a pet cemetery.

Child Care, Center: Any facility licensed by the Arizona State Department of Health Services in which care and supervision for five or more persons is regularly provided for compensation for periods of less than 24 hours per day. This classification includes nursery schools, preschools, day care for children or adults, and any other non-residential day care facility licensed by the State of Arizona.

Child/Adult Care Home: A state certified facility, the primary use of which is a residence, in which child care for not less than five children and not more than ten children through the age of 12 or adult day care for at least five and not more than ten adults is regularly provided for compensation for periods of less than 24 hours per day. The following uses are not a Child Care, Home; Residential Care Home, Residential Care Center, Group Care Home, or Day Care, Home Occupation.

Community Recreation Center: A building, together with accessory structures and uses, used for recreational, social, and educational activities by and for the benefit of community groups and individuals, that is accessible to the general public, and that is not operated for profit.

Community Playfields and Parks: A tract of land owned by a public entity and available to the general public for recreational purposes. This definition includes indoor recreational facilities, swimming pools, playgrounds, and lighted and unlighted athletic fields.

Conference or Convention Center: A facility containing over 20,000 square feet of gross floor area and designed to accommodate and support meetings or conferences. The facility may be either freestanding or incorporated into a hotel or office facility and may include eating and drinking facilities.

Country Club: A membership club catering primarily to its membership and invited guests, providing one or more of the following recreational and social activities: golf, swimming, riding, outdoor recreation, clubhouse and locker rooms. A county club may also include incidental retail sales such as a pro shop and may include dining and catering facilities.

Cultural Facility or Museum: A facility or area that is open to the public and is intended for the display, appraisal, purchase, sale, loan, of books, paintings, sculpture, or other works of original art that have architectural, artistic, cultural, literary, historical, or scientific value. Accessory uses can include meeting rooms or cafes.

Dormitory: A building used as group living quarters for a student body, a religious order, or other group as an associated use to a college, university, boarding school, orphanage, convent, monastery, or other similar use. Dormitories do not include kitchen facilities, except a group kitchen facility to serve all residents.

Funeral Home or Crematorium: An establishment where the deceased are physically prepared for final interment. This may include an apparatus intended for use in the act of cremation of deceased persons.

Golf Course: A tract of land laid out with a course having nine or more holes for playing the game of golf, including any accessory clubhouse, driving range, office, restaurant, concession stand, picnic tables, pro shop, maintenance building, restroom facility, or similar accessory use or structure. This term shall not include miniature golf courses as a principal or accessory use, nor shall it include driving ranges that are not accessory to a golf course, nor shall it include lighted golf courses.

Government Offices and Civic Buildings: A facility owned, operated, or occupied by any level of government to provide a governmental service, but not including offices for the provision of governmental services or facilities for any government operation separately defined in this UDC.

Place of Worship: A facility used primarily to provide assembly and meeting areas for religious activities. Accessory uses include cultural events, parking, caretaker's housing, buildings ancillary to a religious function, pastor's housing, and group living facilities such as convents.

Private Schools, Colleges, and Universities: A private institution that offers instruction in any of the branches of learning and study, including pre-school, pre-kindergarten, kindergarten, elementary school, junior and senior high schools, and college or university. This use does not include "Public Schools," "Charter Schools, " or “Business or Trade School.”

Small Wireless Facility: A wireless facility that meets both of the following qualifications:

- Each antenna is located inside an enclosure of not more than six (6) cubic feet in volume or, in the case of an antenna that has exposed elements, the antenna and all of the antenna's exposed elements could fit within an imaginary enclosure of not more than six (6) cubic feet in volume.
- All other wireless equipment associated with the facility is cumulatively not more than twenty-eight (28) cubic feet in volume. The following types of associated ancillary equipment are not included in the calculation of equipment volume pursuant to this subdivision:
    - An electric meter.
    - Concealment elements.
    - A telecommunications demarcation box.

- Ground-based enclosures.
- Grounding equipment.
- A power transfer switch.
- A cut-off switch.
- Vertical cable runs for the connection of power and other services.

Social Club or Lodge: A nonprofit membership organization that holds regular meetings, whose members pay annual dues, that is organized for a common interest, usually cultural, civic, religious, or social, and that has formal written membership requirements. A "club or lodge" may, subject to other regulations controlling such uses, maintain dining facilities, serve alcohol, or engage in professional entertainment for the enjoyment of members and their guests. There are no sleeping facilities.

Social Service Facility: Facilities providing a variety of supportive services for individuals and/or targeted groups on a day or short-term (less than thirty days) transient basis. Examples of services provided are temporary lodging, counseling, meal programs, personal storage lockers, showers, instructional programs, television rooms, and meeting spaces. This classification is distinguished from a hospital, nursing home, day care center, group care home, treatment facility, health clinic.

Utility Facility and Service Yard, Major: A service of a regional nature that normally entails the periodic construction/expansion of buildings or structures, and that typically has employees on the site on an ongoing basis. Examples include, but are not limited to: wastewater treatment plants, water treatment plants, reservoirs, power plants, and accessory maintenance yards.

Utility Facility, Minor: A service that is necessary to support development within the immediate vicinity and that involves only minor structures. Employees typically are not located at the site on an ongoing basis. Examples include, but are not limited to: electric transformer stations; gas regulator stations; telephone exchange buildings; well, water, and sewer pumping stations; water storage tanks; and water pressure regulating stations.

Wireless Facility: Wireless facilities transmit analog or digital voice or communications information between or among points using electromagnetic signals via antennas, microwave dishes, and similar structures. Supporting equipment includes buildings, shelters, cabinets, towers, electrical equipment, parking areas, and other accessory development. Specific use types include, but are not limited to:

- Tower (Including any facility with a tower): A structure in a fixed location used as an antenna or to support antennas for the primary purpose of transmitting and/or receiving electronic signals. This use includes wireless communication facilities with towers. This definition also includes non-residential broadcast, communication, transmission, and similar towers, either freestanding or attached to an adjacent broadcasting or transmitting facility.
- Broadcasting or recording studio (no tower): A building or portion of a building used as a place for radio or television broadcasting or recording but without a transmission tower.
- Satellite earth station: A telecommunication facility that transmits to and/or receives signals from an orbiting satellite.
- Transmitting station (no tower): Any facility utilized for the transmission of broadcast information but without a transmission tower. This use includes wireless communication facilities without towers.
- Small Wireless Facilities – See “Small Wireless Facility”

35.8.004 Specific Definitions

For the purpose of this ordinance the following words and phrases shall have the following meanings:

Abandoned - Any building, structure or real property that is vacant or occupied by a person without a legal right of occupancy, and/or subject to a current notice of default and/or notice of trustee's sale, pending tax assessor's lien sale and/or any real property conveyed via a foreclosure sale resulting in the acquisition of title by an interested beneficiary of a deed of trust, and/or any real property conveyed via a deed in lieu of foreclosure/sale.

Access: A way or means of approach to provide vehicular or pedestrian physical entrance to a property.

Abut, Abutting – To share, border or physically touch a common boundary, property line or right–of–way.

Accessory Building: A detached building whose use is customarily incidental to that of a principal use of the main building or premises.

Accessory Dwelling Unit: An ancillary or secondary living unit to a single-family detached dwelling unit that has a kitchen, bathroom, and sleeping area, and is independently accessed from and located on the same lot as a single-family detached dwelling unit, either within the same building as the single-family dwelling unit or in a detached building. For purposes of determining maximum density, an accessory dwelling unit shall not count as a dwelling unit.

Accessory Structure: A subordinate structure to that of a main building, which may be served with utilities, but does not enable human habitation.

Accessory Use: A use which is customarily incidental and subordinate to the principal use, located on the same lot with this principal building, structure, or use, and viewed as having minimal, if any, impact on surrounding properties.

Acreage, Gross: The acreage within the perimeter of a development tract, plus one-half (1/2) the right-of-way of all adjoining streets and alleys.

Addition – An extension or increase in floor area or height of a building or structure.

Adjacent – The condition of being near to or close to but not necessarily having a common dividing line. Two (2) properties which are separated by only a street or alley shall be considered as adjacent to one another.

Adjoining – The condition of being near to or close to but not necessarily having a common dividing line. Two (2) properties which are separated by only a street or alley shall be considered as adjoining one another.

Adult Arcade: Any place to which the public is permitted wherein money-operated, token-operated or credit-operated, or electronically, electrically or mechanically controlled still or motion picture machines, projectors or other image-producing devices are maintained to show images to five (5) or fewer persons per machine in any viewing room of one hundred fifty (150) square feet or less at any one (1) time, and where the images so displayed are distinguished or characterized by the depicting or describing of specified sexual activities or specified anatomical areas.

Adult Bookstore or Novelty Store: Any commercial establishment:

A. Which as one (1) of its principal business uses offers for sale or rental, for any consideration, any of the following:

   1. Books, magazines, periodicals or other printed materials, which depict or describe specified sexual activities or specified anatomical areas; or
   2. Films, video cassettes or other video reproductions depicting specified sexual activities or specified anatomical areas; or

3. Instruments, devices or paraphernalia which are designed for use in connection with specified sexual activities, excluding condoms and other birth control and disease prevention products; and

B. Which regularly excludes all minors from the premises because of the sexually explicit nature of the items sold, rented or displayed therein.

C. For purposes of this definition, twenty-five percent (25%) or more of the establishment's merchandise constitutes a principal business use.

Adult Cabaret: Any nightclub, bar, restaurant or other commercial establishment which features live performances or activities on the business premises that are characterized by the exposure of specified anatomical areas or by specified sexual activities; provided that a nude model studio is not an adult cabaret, the term "adult cabaret" is intended to apply to businesses which emphasize and seek, through the conduct of any employee or performer, to arouse or excite any patron's sexual desires. Nothing in this definition shall be construed to apply to the presentation or performance of any play, drama or ballet in any theater, concert hall, fine arts academy, school, institution of higher education or similar establishment as a form of expression of opinion or communication of ideas or information, as differentiated from the promotion or exploitation of nudity for the purpose of advancing the economic welfare of a commercial or business enterprise.

Adult Motel: Any hotel, motel or similar commercial establishment which:

A. Offers accommodations to the public for any consideration; provides patrons with closed-circuit television transmissions, films, motion pictures, video cassettes, slides or other photographic reproductions which are characterized by the depiction or description of specified sexual activities or specified anatomical areas; and has a sign visible from the public right-of-way which advertises the availability of such photographic reproductions; or

B. Offers a sleeping room for rent for a period of time that is less than ten (10) hours; or

C. Allows a tenant or occupant of a sleeping room to rent the room for a period of time that is less than ten (10) hours.

Adult Theater: Any business establishment, other than an adult arcade or adult motel, used regularly for the business of exhibiting films, video cassettes or other video reproductions depicting specified sexual activities or specified anatomical areas, and from which all minors are regularly excluded because of the sexually explicit nature of such films, cassettes or reproductions.

Adverse Impact – A negative consequence for the physical, social, or economic environment resulting from an action, use, or development.

Agricultural Stand: A structure for the display and commercial sale of agricultural and horticultural products raised on the premises.

Airport Impact Overlay Area One (AIO-1): Means the area between the sixty-five (65) ldn and seventy (70) ldn noise contour lines developed by the application of day/night average sound level methodology of sound measurement (ldn).

Airport Impact Overlay Area Two (AIO-2): Means the area between the seventy (70) ldn and seventy-five (75) ldn noise contour lines developed by the application of day/night average sound level methodology of sound management (ldn).

Airport Impact Overlay Area Three (AIO-3): Means the area of seventy-five (75) ldn and greater noise levels as developed by the application of day/night average sound level methodology of sound measurement (ldn).

Alley: A (public or private) thoroughfare other than a street which affords a secondary means of vehicular access to abutting property; typically to the back or side of said property.

Allowed Use – A use of land identified by Article 2 as a permitted or conditional use, subject to compliance with all applicable provisions of this Code.

Alteration: Any architectural, mechanical, or structural change to a building which requires a permit under the Building Code of the City.

Amateur Radio Tower: A free-standing or building-mounted structure, including any base, tower or pole, antenna and appurtenances, intended for airway communication purposes by a person holding a valid amateur radio (HAM) license issued by the Federal Communications Commission.

Amendment – A change in the wording, context or substance, or the addition of text to this Ordinance; an addition, deletion or change in the district boundaries or classifications on the Zoning Map.

Applicant – Any person applying for any permit, approval or decision governed or required by this Ordinance.

Archaeological Resources: Any material remains of past human life, activities, or habitation which are of historic or prehistoric significance. Such material includes, but is not limited, to pottery, basketry, bottles, weapon projectiles, tools, structures or portions of structures, pit houses, rock paintings, rock carvings, intaglios, graves, skeletal remains, personal items and clothing, household or business refuse, printed matter, manufactured items, or any piece of the foregoing items.

Architectural Feature – The design and/or construction technique and elements or combination of elements that are the character–defining features of a structure.

Area, Gross – The land area (acres) within the perimeter of a parcel or lot, including all non–dedicated streets, alleys, private roadways and/or alley easements, and canal and/or irrigation easements.

Area, Net – The land area (acres) within the perimeter of a parcel or lot, excluding all dedicated arterial and collector street right–of–ways.

ARS – The abbreviation for the Arizona Revised Statutes.

Articulation – The visible expression of architectural elements through form, structure or materials that break up the scale of building planes to achieve visual variation.

Attached Building: A building which has any part of its exterior or bearing wall in common with another building or which is structurally integrated with the main building.

Automotive Charging Facility: A facility in which electric vehicle charging services are made available to the public or to members for a fee, including structures, machinery, and equipment necessary and integral to support an electric vehicle, including battery charging stations, rapid charging stations, and battery exchange stations.

Balloon – A bag, measuring not more than eighteen (18) inches in diameter, made of thin rubber or other light material, usually brightly colored, inflated with air or with some lighter–than–air gas and used with flags and/or banners to attract attention for an event.

Berm – A mound or embankment of earth.

Block – That property abutting one side of a street and lying between the two nearest intersections or intercepting streets on subdivided land.

Boat - Any vessel or motorized device used for traveling in or on water, including, but not limited to, an unpowered vessel; a vessel powered by oars, paddles, sail, or motor; and a raft, whether ridged, supported by pontoons, or inflatable.

Buffer – A landscaped area intended to separate and partially obstruct the view of two adjacent land uses or properties from one another.

Building: A permanently located structure having a roof supported by columns or walls.

Building Codes: The various codes of the City which regulate construction and require building permits, electrical permits, mechanical permits, plumbing permits, and other permits to do work regulated by chapter 9 of the City Code pertaining to building and building regulation.

Building Coverage: That portion of a lot or building site which is occupied by any building or structure, regardless of whether such building or structure is intended for human occupancy.

Building Height: The vertical distances measured from the finished grade level to the highest level of the building.

Building Permit: An authorization to construct a structure as issued by the Building Safety Department and authorized by the Development Services Director or designee.

Building, Principal: A building which houses the principal use of the lot.

Caliper – The diameter of the trunk measured six inches above ground level up to and including four–inch caliper size, and measured twelve inches above ground level if the measurement taken at six inches above ground level exceeds four inches. If a tree is of a multi–trunk variety, the caliper of the tree is the average caliper of all of its trunks.

Canopy – A structure made of cloth, metal or other materials with frames affixed to a building or carried by a framework which is supported by the ground.

Cargo Containers – A metal structure specifically constructed for the shipment of goods by ship, rail or truck that is later sold as a place to store goods and materials.

Carport: A permanent roofed structure with not more than two (2) enclosed sides used or intended to be used for vehicle shelter and parking. A carport may either be free standing or attached to the primary building.

Change of Use – Any use which differs from the previous use of a building or land.

Child: Any person through the age of fourteen (14) years.

Child Care: The care, supervision and guidance of a child or children, unaccompanied by parent, guardian or custodian, on a regular basis, for periods of less than twenty-four (24) hours per day, in a place other than the child's or children's own home or homes.

Circular Drive: Horseshoe or similar shaped drive that has two points of access, where ingress and egress is achieved in one continuous motion and the inside edge of the arc of the driveway is at least five (5) feet from the property lot line.

Common Lot: The original site or lot in which permitted buildings/dwelling, multi-family uses are placed, or in which all subsequent permitted individual lots/dwelling, single-family uses are placed.

Complex/Center: A commercial and/or office development defined by shared facilities, including but not limited to, circulation, parking, utilities, storm water retention and landscaping that service the shopping complex/center.

Commercial Vehicle – Any vehicle currently registered as such with the state Department of Motor Vehicles or equivalent out–of–state or federal agency and is used primarily in the conduct of a business as opposed to private family or individual use.

Common Area – Land in a residential development held in common and/or single ownership and not reserved for the exclusive use or benefit of an individual tenant or owner.

Common Ownership – Ownership by one (1) or more individuals in any form of ownership.

Compatible – The use of land or a structure that is capable of existing together in harmony with other structures or uses of land adjacent or in proximity to the land use or structure in question.

Consistent – Means harmony, regularity of steady continuity.

Contiguous – In contact with one or more sides.

Continuous: Means an uninterrupted extension in space, time or sequence.

Day/Night Sound Level (Ldn): A cumulative aircraft noise index that estimates the exposure in decibels of noise by a weighted sound-level meter for a certain geographic area during a twenty-four (24) hour period.

Decibel – A unit for expressing the relative intensity of sounds from zero (0), average least perceptible to one–hundred–thirty (130), average pain level.

Deck – A projecting non–enclosed portion of a house located at a height of less than eight feet above the ground.

Dedication – The designation of land by its owner for any general or public use.

Demolition: Any act or process which requires a building permit under the Building Code of the City which destroys in part or in whole a house, building, or other structure.

Density, Gross: Gross acreage divided into the number of dwelling units, lots, or spaces.

Density, Net: Net acreage, excluding streets, alleys, and other rights-of-way divided into the number of dwelling units, lots, or spaces.

Developer – A person, firm, partnership, joint venture, trust, syndicate, association, corporation, limited liability company, or other legal entity who desires to improve or otherwise engage in any development of property within the City.

Development – Any manmade change to improved or unimproved real estate, including but not limited the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any structure; any mining, excavation, landfill or land disturbance.

Disabled: A person who (1) Has a physical or mental impairment that substantially limits one or more of such person's major life activities so that the person is incapable of living independently; (2) Has a record of having such an impairment; or (3) Is regarded with having such an impairment. However, disabled shall not include current illegal use of or addiction to controlled substances (as defined in Section 102 of the Controlled Substances Act [21 U.S.C. § 802].

Donation/Recycling Drop-Off Box: Any container, storage unit or structure, other than a primary building, accessory building or shed, that is used for the collection of charitable or for-profit donated items by the general public, including but not limited to clothing, household goods, toys, books, and newspapers.

Dustproof: A surface such as concrete, asphalt, pavers, crushed rock or aggregate that is a minimum of three (3) inches thick or alternative material that does not generate dust and is shown to be durable as concrete.

Dwelling Unit: A room or group of rooms within a building containing cooking accommodations and designed to be occupied exclusively by a single housekeeping unit.

Easement – Is a right to use a portion of the land of another for a special purpose or public use such as, by way of example, vehicular or transportation access, drainage, or public utilities.

Effective Date – The date on which a permit or other approval becomes enforceable or otherwise takes effect, rather than the date it was signed or circulated.

Egress – An exit.

Elevation – The vertical distance above or below a fixed reference level or A flat scale drawing of the front, rear or side of a building or structure.

Emergency – A sudden unexpected occurrence demanding immediate action to prevent or mitigate loss or damage to life, health, property or essential public services.

Encroachment – A right of access or entry that has been agreed upon by the property owner or mandated by the City, State or Federal Government.

Enlargement – An increase in the size of an existing structure.

Erected – Built, constructed, altered, reconstructed, moved upon; any physical operations on premises which required construction, excavation, fill, drainage and the like, shall be considered part of an erection.
Excavation – Removal or recovery by any means whatsoever of soil, rocks, minerals, mineral substances or organic substances other than vegetation from water or land from beneath the land surface whether exposed or submerged.

Existing Grade or Elevation – The vertical location of the ground surface prior to excavating or filling.

Existing Use – The use of a lot or structure at the time of enactment of this Code.

Expansion – The process of becoming greater in size, number, or amount.
Exterior Display – Materials and items for sale in conjunction with a retail business that are displayed outside or underneath a canopy for more than 24 hours and which are not stored within a building. This does not include outside vending machines or architectural props or decorations.

Exterior Wall – Any wall that defines the exterior boundaries of a building or structure.

Fabrication – Means to construct or assemble from diverse and usually standardized parts.
Family: (1) An individual or any number of persons related by blood, marriage, domestic partnership, adoption or guardianship, and usual domestic help, living together as a single housekeeping unit in a dwelling unit, or (2) A group of not more than five (5) persons, who need not be related, living together as a single housekeeping unit in a dwelling unit.

Facade – The entire building front including the parapet.

Fence: An artificially constructed barrier of any material or combination of materials erected to enclose or screen areas of land.

Fence Height: Fence or wall height shall be measured as follows:

A. Where a fence faces a public street, highway or alley, height shall be measured from the top of the curb, or where no curb exists, the center line of the street, highway, or alley. (See Figure D-1).

B. Where a fence or wall is between two (2) properties, the height shall be the average measured from each side of the base of the fence as established at the time of final grading. (See Figure D-2).

C. A retaining wall will be counted as part of the total wall or fence height where the retaining wall is no greater than two (2) feet horizontal distance from the wall or fence. Where a retaining wall is greater than two (2) feet distance from the fence or wall, the fence or wall height shall be measured from the base of the fence or wall. (See Figure D-3).

Figure D-1

Fence Height At Public R.O.W.

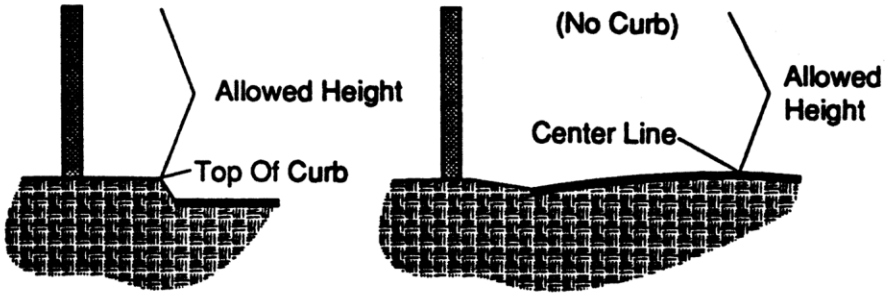


Figure D-2

Fence Height At Common Property Lines

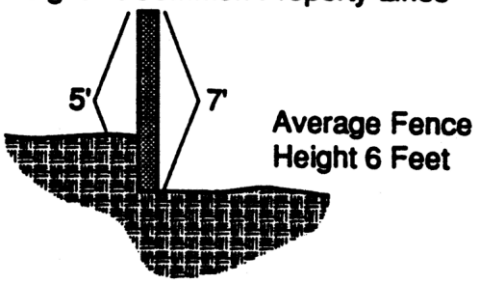
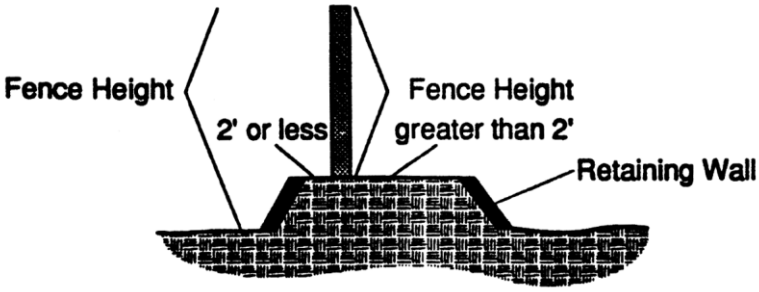


Figure D-3

Fence Height Measured With Retaining Wall



Filtered: The use of an outer lens which services to control the spectral distribution from a light source. The outer lens shall be glass, acrylic or some other translucent enclosure. Quartz glass does not comply with this requirement.

Finished Grade – The final grade and elevation of the ground surface after grading is completed and in conformance with the approved grading plans.

Flag – A fabric sheet of square or rectangular or triangular shape which is mounted on a pole. This includes flags of the – United States, State of Arizona, registered corporations and other registered entities, foreign nations, as well as decorative flags, and flags supporting activities of the City or other public facility land use.

Floor Area, Gross: The combined area of the floor(s) within the exterior walls of a building. The following are excluded from the floor area:

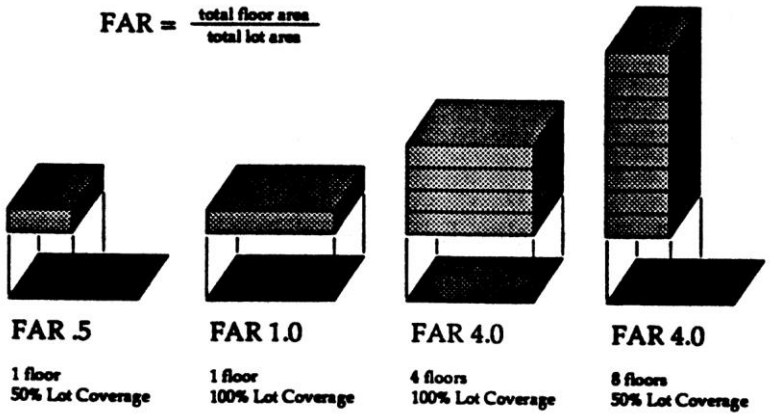
A. Accessory parking lots and structures.

B. Attic area with head room less than seven (7) feet.

C. Enclosed exterior stairways.

Floor Area Ratio: The ratio of gross floor area to the total net area of the parcel expressed as a percent or decimal. Any area included within a basement where the floor level is at least five (5) feet below the adjoining finished grade shall be subtracted prior to calculation of the floor area ratio. Where rounding of numbers is necessary to determine floor area ratio, the nearest one hundredth (.00) shall be used. (See Figure D-4).

Figure D-4



Frontage: The length of a lot which fronts directly on a public street or other public area.

Garage Sale – A sale of household items conducted on a residential site and incidental to the principal dwelling.

Garage, Private. An enclosed structure, either attached or detached to a principal structure, devoted partially or wholly to the parking or storage of a vehicle owned by the occupants in the structure to which such garage is accessory.

Garage, Side Entry. A garage that does not directly face the street and the entrance is roughly parallel, rather than perpendicular, to the side property line.

Guest – Any person hiring and occupying a room on a temporary basis for sleeping purposes.

Handicapped: (See "Disabled").

Hardscape: Landscaping details such as stone or concrete walkways, courtyards, patios, retaining walls, potting containers, and other landscaping design elements that use stone, pavers, brick, tile, wood, sand, pebbles, brick, metal, and other similar materials. Hardscape shall not include areas dedicated to driveways or vehicle parking, storage or maneuvering.

Home Occupation: Any occupation or profession conducted from a principal residence in a residential zoned district, as an accessory use.

Household Pets: Small animals which are customarily kept as household pets or which are generally trainable and readily adaptable to urban residences. Household pets may include small domestic animals as well as other nontraditional pets and exotic animals.

Housekeeping Unit: One (1) or more individuals living, sleeping, and cooking in a single dwelling unit who share housekeeping tasks and responsibilities as an interdependent unit.

Impervious Surface – Any material that substantially reduces or prevents the infiltration of stormwater into previously undeveloped land. Impervious surface shall include graveled driveways and parking areas.

Individual – Any private individual, tenant, lessee, owner, or any commercial entity including, but not limited to, companies, partnerships, joint ventures or corporations.

Inoperable Vehicle: See “Vehicle, Inoperable”

Individual: Any private individual, tenant, lessee, owner, or any commercial entity, including but not limited to companies, partnerships, joint ventures or corporations.

Ingress – Access or entry.

Installed: The initial installation of outdoor light fixtures defined herein.

Irrigation System – The combination of elements such as automatic controllers, meters, pressure vacuum breakers, pipes, valves, emitters, bubblers, spray heads, tubing and other materials designed for the purpose of transporting water to landscaping.

Kitchenette: An area used or designed for the preparation of food and containing a sink, refrigerator and an electrical outlet, which may be used for a microwave oven. No 220V outlet for a range or oven may be provided.

Landscaping: The combination of elements such as trees, shrubs, ground cover, vines, and other organic and inorganic materials for the express purpose of creating an attractive and pleasing environment. Public art, water features, plazas, patios, decorative courtyards and lighting may also be considered landscape elements.

Living Space: Any fully enclosed space within a dwelling that is not the garage.

Ldn Contour: A line linking together a series of points of equal cumulative noise exposure based on the day/night sound level (Ldn) metric. Such contours are developed based on aircraft flight patterns, number of daily aircraft operations by type of aircraft and time of day, noise characteristics of each aircraft, and typical runway usage patterns.

Living Area: The occupied portion of a residence occupied, including interior areas and exterior porches, not including a garage or carport.

Loading Space: An off-street space or berth on the same lot with a building, or contiguous to a group of buildings, for the temporary parking of a commercial vehicle while loading or unloading merchandise or materials.

Lot: A parcel of land, or contiguous parcels under one (1) ownership with frontage or access to a public street, occupied or designed to be occupied as a unit and which has been established by plat, subdivision, or otherwise lawfully permitted.

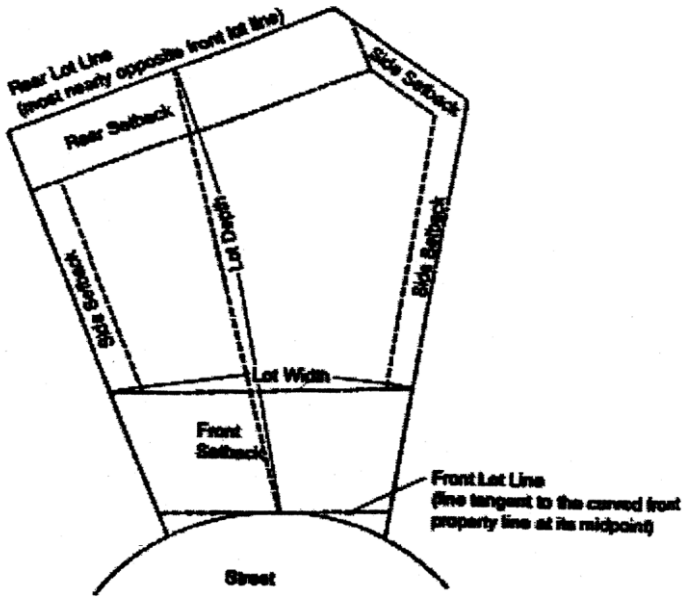
Lot Area: The total area in square feet within the boundary lines of a lot.

Lot, Corner: A parcel of land located at the intersection of two (2) or more streets.

Lot Coverage: The horizontal surface area of a lot that, if looking down from above, would be covered by any building, accessory building, roof or protection.

Lot Depth: The shortest distance between the midpoint of the front lot line and the midpoint of the rear lot line. (See Figure D-5).

Figure D-5



Lot, Flag: An interior lot in which the buildable area is located to the rear of a lot abutting a street, and which has access to the same street by means of a narrow driveway.

Lot, Interior: A lot other than a corner lot.

Lot Line:

A. **Front.** That boundary of a lot that abuts a public street, private street, or approved access easement, except as follows:

On corner lots, the front lot line shall be the shorter line abutting a public street, private street, or approved access easement. The other street frontage shall be the corner side lot line. Alternatively, a property owner may elect that the front lot line shall be the line separating the longer street frontage of the lot from a street. This election shall be in writing and shall be approved by the Development Services Director or designee and shall be recorded with the Maricopa County Recorder's office;

On through or double frontage lot. The lot line which is obviously the front by reason of the prevailing custom of the other buildings on the block. The other street frontage shall be a rear lot line. Where such frontage property line is not obviously evident, the Development Services Director or designee shall determine the front property line.

B. **Rear.** The lot line most nearly opposite to the front property line. In the event that the front property line is a curved line, then the rear property line shall be the lot line most nearly opposite a line used to determine front setback line tangent to the front property line at its midpoint. If the rear lot-line is less than ten feet long or the lot comes to a point at the rear, said rear lot-line is assumed to be a line not less than ten feet long, lying wholly within the lot, approximately parallel to the front lot line.

C. **Side.** Those other lot lines not defined as a front or rear lot line.

Lot, Through or Double Frontage: A lot which abuts upon two (2) parallel or approximately parallel streets or which abuts upon two (2) streets which do not intersect at the boundaries of the lot.

Lot Width: If the side property lines are parallel, the shortest distance between these side lines. If the side property lines are not parallel, the width of the lot shall be the width of the lot at its front setback line.

Maintenance – The repair, painting, trimming, pruning, watering and other on–going activities which are associated with providing an attractive site appearance and safe buildings and structures.

Minor Work: Any change, modifying, restoring, rehabilitating, renovating, surfacing, or resurfacing of the features of historic property which does not materially change the historic characteristics of the property.

Mobile Home Space: A plot of ground within a mobile home park designed for the accommodation of one (1) mobile home.

Modification (or Alteration) – Any addition or modification that changes the exterior architectural appearance or materials of a structure or object. Alteration includes changes in exterior surfaces, changes in materials, additions, remodels, demolitions, and relocation of buildings or structures, but excludes ordinary maintenance and repairs.

Natural Grade – The undisturbed natural surface of the land, including washes.

Nude, Nudity or State of Nudity: The appearance of the cleft of the buttocks, anus, genitals or areola of the female breast; or a state of dress which fails to opaquely cover the cleft of the buttocks, anus, genitals or areola of the female breast.

Nude Model Studio: Any place where a person appears nude or semi-nude, and is provided to be observed, sketched, drawn, painted, sculptured, photographed or similarly depicted by other persons for any consideration, the term "nude model studio" does not include a proprietary school that is licensed by this state; a college, community college or university that is supported entirely or in part by taxation; a private college or university that maintains and operates educational programs in which credits are transferable to a college, community college or university that is supported entirely or in part by taxation; or a structure to which all of the following apply:

A. A sign is not visible from the exterior of the structure and no other advertising appears on the premises indicating that a nude or semi-nude person is available for viewing;

B. The business does not otherwise advertise itself as an adult business;

C. Where in order to participate in a class, a student must enroll at least three (3) days in advance of the class; and

D. Where no more than one (1) nude, or semi-nude model is on the premises at any one (1) time.

Occupancy, Certificate of – A document issued by the Chief Building Official and/or Zoning Administrator allowing the occupancy or use of a building and certifying that the structure or use has been constructed or will be used in compliance with all the applicable codes of the City of Glendale.

Occupancy, Change in – The discontinuance of an existing use and the substitution therefore of a use of a different kind or class.

Occupant – The person occupying or having custody of a structure or premises as a lessee or other.

Off–Site – Not located within the area of the property to be developed.

Off–Street – Land which is not within the right–of–way of any street or alley.

Open Space: An area that is intended to provide light and air and is designed for either environmental, scenic, or recreational purposes. Open space may include, but is not limited to lawns, decorative planting, walkways, active and passive recreation areas, playgrounds, fountains, swimming pools, wooded areas, and water courses.

Open Space, Common: Open space, other than private yard or outdoor living space intended for use by all occupants of a development.

On–Site – Located on the lot that is the subject of discussion.

Opaque – Opaque means that the material shall not transmit visible light.

Outdoor light fixtures: Outdoor artificial illuminating devices, lamps and other devices, permanent or portable, used for illumination or advertisement. Such devices shall include, but shall not be limited to, search, spot or flood lights for buildings and structures, recreational areas, parking lot lighting, landscape lighting, billboards and other signage and street lighting.

Outdoor Display – The placement of goods, equipment, merchandise or exhibits at a location visible to the public view, other than within a building.

Outdoor Sales: The display of products or services which are intended for retail or wholesale purchase not within a completely enclosed building.

Outdoor Storage – The keeping in an unroofed area, of any goods, junk, material, merchandise or vehicles in the same place for more than 24 hours.

Owner – A person recorded as such on the records of the County Assessor, or a person who has been granted written authorization by the owner to act on his behalf.

Parapet – The extension of a false front or wall above a roofline.

Parking Aisles – That portion of the parking area consisting of the driving lanes providing access to the individual parking spaces.

Parking Area – That portion of a lot that is used by vehicles for access, circulation, parking and loading and unloading. It comprises the total of circulation areas, loading and unloading areas, and parking areas (spaces and aisles).

Parking Lot – An area not within a building where motor vehicles may be stored for the purposes of temporary, daily, or overnight off–street parking.

Parking, Off-Street – Marked or unmarked parking located within a parcel and outside a private or public right-of-way.

Parking, On-Street – Marked or unmarked parking located within a private or public right-of-way.

Parking, Shared – The development and use of parking areas on two or more separate properties for joint use by the businesses on those properties.

Paved – An artificial covering on a street, road, parking lot, driveway, walkway, patio, or other natural surface of the ground composed of a material as specified by the City of Glendale Engineering Standards or as approved by the City Engineer unless otherwise stated herein.

Permitted Use – Any use allowed in a Zoning District and subject to any restrictions applicable to that Zoning District.

Person – Any person, firm, partnership, association, social or fraternal organization, corporation, estates, trust, receiver, syndicated, branch or government or any other group or combination of groups acting as a unit.

Principal Use: The main or primary use on any lot or parcel which establishes the basic land use characteristics of the property, as opposed to an accessory use. In some instances, a property may have more than one (1) principal use.

Project: One (1) or more uses, buildings, or tenant spaces designed to function as an integral unit through shared parking and driveways, even though there may be separate ownerships and parcels.

Prohibited Use – A use which is not specifically permitted or analogous to those specifically permitted.

Recreational Vehicle: A vehicular type of unit forty (40) feet or less in length and eight (8) feet or less in width, primarily designed for temporary living quarters, recreation, camping, or travel use, which either:

A. Contains its own motive power as in the case of motor homes, minimotor homes, or recreational vans;

B. Is drawn by another vehicle as in the case of travel trailers, tent trailers, camper trailers, or watercraft on boat trailers; or

C. Is mounted on another vehicle as in the case of truck campers.

Recycling Container: A collection container that serves as a neighborhood drop-off point for temporary storage of recoverable resources. This facility would generally be located in a shopping center parking lot or in other public/quasi-public areas such as churches, parks, and schools. It is intended for household or consumer use.

Redevelopment: Any modification, alteration, remodeling, or new construction to an existing site or structure which requires a permit under the Building Code of the City of Glendale.

Residential Use: Long term occupancy of residential structures including single residence and multiple residence dwellings, dormitories, and mobile homes.

Satellite Earth Station: A device consisting of an antenna and reflector, having any dimension of more than one and one-half (1-1/2) meters, and is a solid or open mesh configured structure used for reception or transmission of radio energy to or from an earth orbit satellite or celestial body.

Scenic Corridor: is the required landscape setback and land abutting the Agua Fria Freeway (Loop 101) between 51st Avenue and Bell Road. The Scenic Corridor extends ¼ -mile on both sides of the freeway. This distance is measured from the freeway right-of-way.

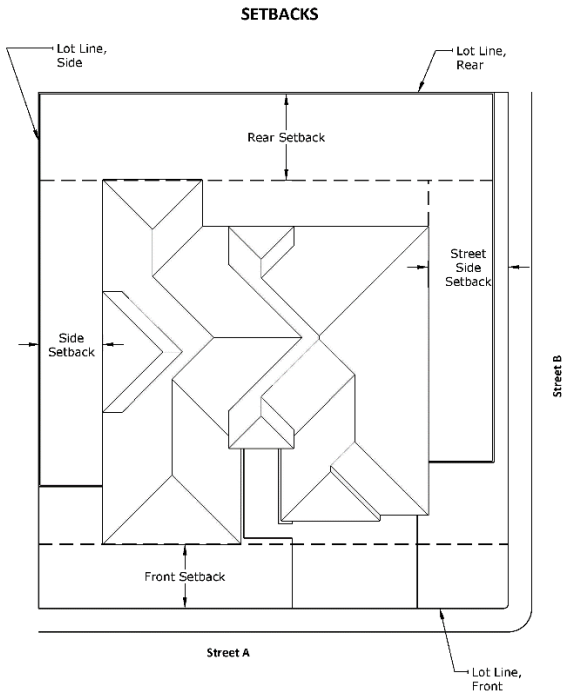
Screening: A wall, fence, hedge, informal planting, or berm, provided for the purpose of buffering a building or activity from neighboring areas or from the street.

School: A place of general instruction including colleges, but not including business colleges, child care centers, dancing schools, riding academies, or specialized trade or vocational schools.

Semi-Nude or Semi-Nudity: A state of dress which shows the female breast below a horizontal line across the top of the areola at its highest point, or which shows the male or female buttocks. This definition shall not include any portion of the cleavage of the female breast exhibited by a dress, blouse, leotard, bathing suit or other wearing apparel, provided that the areola is not exposed in whole or in part.

Semi-Nude Business: Any commercial establishment, other than an adult cabaret, nude model studio or topless bar, which features employees who appear semi-nude before customers on the business premises. The term "semi-nude business" is intended to apply to businesses which emphasize and seek, through the conduct of any employee or performer, to arouse or excite any patron's sexual desires. Nothing in this definition shall be construed to apply to the presentation or performance of any play, drama or ballet in any theater, concert hall, fine arts academy, school, institution of higher education or similar establishment as a form of expression of opinion or communication of ideas or information, as differentiated from the promotion of exploitation of semi-nudity for the purpose of advancing the economic welfare of a commercial or business enterprise.

Setback: The required minimum horizontal distance between the building line and the related front side, or rear property line.



Screening – A wall, fence, hedge, informal planting, or berm, provided for the purpose of buffering a building or activity from neighboring areas or from the street.

Screening Device – Any structure intended to conceal, fully or partially, an activity or mechanical element from the public view, adjacent uses, properties and/or streets.

Section – A section of this Code, unless some other Code or statute is mentioned.

Shielded, fully (fixtures): Fixtures that are shielded in such a manner that light rays emitted by the fixture, either directly from the lamp or indirectly from the fixture, are projected below a horizontal plane running through the lowest point on the fixture where light is emitted.

Shielded, partially (fixtures): Fixtures that are shielded in such a manner that the bottom edge of the shield is below the plane of the center line of the lamp reducing light above the horizontal.

Sight Visibility Triangle: The area of visibility on a street corner to allow for safe operations of vehicles, pedestrians, and cyclists in the proximity of intersecting streets, rail lines, sidewalks, and bicycle paths.

Sign: Any device (including, but not limited to, letters, words, numerals, figures, emblems, pictures, or any part or combination) used for visual communication which is intended to attract the attention of the public and is visible from the public rights-of-way or other properties. The term "sign" shall not include any flag, badge or insignia of any governmental unit nor shall it include any item of merchandise normally displayed within a show window of a business.

Sign, A–Frame – A temporary sign, normally supported by its own frame and not affixed to a structure or permanently ground mounted. It is positioned upright in a manner that forms an “A” when in use; also referred to as a “sandwich” or “tent” sign.

Sign, Awning: Signs which are placed on or integrated into fabric or other material canopies which are mounted on the exterior of a building.

Sign, Banner – A temporary sign made of fabric, plastic, or other pliable material without a rigid structural support or internal illumination on which advertising copy or graphics may be displayed.

Sign, Billboard (Static): A sign which is intended to advertise a business, commodity, service, entertainment, product, or attraction sold, offered, or existing elsewhere than on the property where the sign is located.

Sign, Billboard (Digital/Electronic): An identification sign or a sign which is intended to advertise a business, commodity, service, entertainment, product, or attraction sold, offered, or existing on or elsewhere than on the property where the sign is located and intended to be viewed primarily from SR 101 or SR 303. An Electronic Billboard shall be internally illuminated, and not capable of movement.

Sign, Construction or Development: A temporary sign providing information about future development or current construction on a site, and the parties involved in the project.

Sign, Directional: An on-premises sign that includes information assisting in the flow of pedestrian or vehicular traffic such as enter, exit, and one-way.

Sign, Directory: A sign, other than an identification sign, listing the names, uses, or locations of the various businesses or activities conducted within a building or group of buildings which is centrally located and intended to provide on-site directions.

Sign, Drive Up / Drive Through: A permanently mounted sign displaying the bill of fare for a drive thru restaurant.

Sign, Entry Wall Monument – Signs that identify a residential or non-residential development, and are attached to a screen wall or landscape planter adjacent to the adjacent public street, and are designed and sited in a manner consistent with the architectural style and landscape theming of the development.

Sign Face – The area or display surface used for the message.

Sign, Feather/Swooper: A banner type sign that is attached to a aluminum or fiberglass rod which is inserted directly into the ground or into a sleeve embedded in the ground or portable base. The flag portion of the sign is attached on one side, permitting the unattached side to move freely in the wind.

Sign, Freestanding Monument: A sign which is erected on its own self-supporting permanent structure, detached from any supporting elements of a building.

Sign, Identification: A sign that is designed and intended to identify only the business, place, organization, building, street address, or person on the property on which it is located.

Sign, Illuminated: A sign whose surface is artificially lighted internally or externally.

Sign, Inflatables: A non-porous flexible inflated device, utilizing inert gas, used as advertising matter.

Sign, Marquee: A permanent sign attached to, supported by and projecting from a building, especially a theater or hotel.

Sign, Mural: Graphic art painted directly on an exterior wall with no commercial text, logo, brand, or message with the exception of an artist or sponsor signature.

Sign, Noncommercial: A sign which does not contain information or advertising for any business, commodity, service, entertainment, product, or other attraction.

Sign, Nonconforming: A sign lawfully erected and maintained prior to the adoption of this ordinance which does not conform with the requirements of this ordinance.

Sign, Off–Site/Off–Premise: Any permanent or temporary sign that may display a message, whether commercial or noncommercial, that may not necessarily relate to the premises upon which the sign is located.

Sign, On–Site/On–Premise: Any permanent or temporary sign which pertains to the business operated, activity conducted or products sold or manufactured on the premises upon which the sign is located; or which displays a noncommercial message installed or caused to be installed only by the property owner and/or lessee of the property upon which the sign is located.

Sign, Painted: See Sign, Wall

Sign, Place Marker: A sign that identifies a culturally significant event, date or recognition of a building or property.

Sign, Political: A sign which supports any candidate for public office or urges action for or against any other matter on the ballot of primary, general, or special elections.

Sign, Portable: Any sign not affixed to a structure or ground mounted on a site.

Sign, Projected: A sign that is digitally projected onto a building surface.

Sign, Projecting: A sign attached to a building or other structure and extending in whole or in part more than fourteen (14) inches beyond the building.

Sign, Pylon: A sign hung, supported or cantilevered from one or more supports constructed of structural steel, pipe, or other materials.

Sign, Reader Panel: A sign designed to permit immediate change of copy either manually or electronically.

Sign, Skyline: A sign permanently affixed to a wall or surface not more than 20 degrees from vertical at the upper edge of a building and extending parallel with the mansard roof line or parapet upon which the sign is attached.

Sign, Structure: The supports and framework of the sign.

Sign, Temporary: A sign not intended or designed for permanent display.

Sign, Wall: A sign mounted flat against and projecting less than fourteen (14) inches from, or painted on the wall of a building or structure with the exposed face of the sign in a plane parallel to the face of the wall. This does not include window signs.

Sign, Walker – A person, who wears, holds or balances a portable sign.

Sign, Weekend Directional: A temporary sign typically placed on weekends within the right-of-way that is designed for providing direction and/or orientation for pedestrian or vehicular traffic.

Sign, Window: A sign affixed to the interior or exterior of a window, or placed immediately behind a window pane so as to attract the attention of persons outside the building.

Sign, Yard – Small placard-type signs that are typically associated with, but not limited to, the advertisement of real estate, political campaigns, and meeting or event announcements.

Site – The building area leased or owned by or on behalf of any business together with its adjacent privately-owned walkway or parking area.

Site Built – A structure or dwelling constructed on the site by craftsmen utilizing materials delivered to the site. Said structure shall consist of footings and foundations poured in place, permanently attached to the walls. Roofing materials, interior and exterior finishes shall be applied on the site. All construction shall be in conformance with all uniform codes in force at the time of construction. This definition does not include relocated site built homes.

Site Plan – A Plan, prepared to scale, showing accurately and with complete dimension, the boundaries of a site and the location of all buildings, structures uses, principal site development features, or any other information required by this Ordinance, which is proposed for a specific parcel of land.

Solid: Not able to be seen through; not transparent.

Specified Anatomical Areas: Human genitals in a state of sexual arousal; the appearance of the cleft of the buttocks, anus, genitals or areola of the female breast; or a state of dress which fails to opaquely cover the cleft of the buttocks, anus, genitals or areola of the female breast.

Specified Sexual Activities: Activities that depict, describe, or relate to any of the following activities:

A. The fondling or other erotic touching of human genitals, pubic region, buttocks, anus or female breasts;

B. Sex acts, normal or perverted, actual or simulated, including intercourse, oral copulation or sodomy;

C. Masturbation, actual or simulated; or

D. Excretory functions as part of or in connection with any activities set forth in subsections A through C.

Storage Shed: One (1) story, detached accessory building used for tools and storage, playhouse, or similar use with a projected roof area of less than one hundred twenty (120) square feet.

Story: A space in a building between the surface of any floor and the surface of the next floor above, or if there be no floor above; then the space between such floor and the ceiling or roof above; provided, however, that where the floor level of the first story is at least five (5) feet below the adjoining finished grade, the space shall be considered a basement and not counted as a story.

Street: A public thoroughfare, including road, highway, drive, lane, avenue, place, boulevard, and any other thoroughfare which affords the principal means of access to abutting property, but not including alleys or driveways.

Street, Private: An area intended for vehicular traffic, owned and maintained by a private corporation, individual, or group of individuals.

Structural Alteration: Any change in the supporting members of a building, such as bearing walls, columns, beams, or girders.

Structure: Anything constructed or erected, which requires location on the ground or attached to something having location on the ground.

Temporary Fence: Structure used to enclose an outdoor activity or use for a period as set forth in Section 35.4.208.C that is contained fully above ground and includes no permanently implanted or affixed footings.

Temporary Office or Construction Trailer: A temporary portable unit for office use which is designed to be transported, after fabrication, on its own wheels, or on a flatbed, other trailer, or have detachable wheels.

Temporary Use or Building – A use or structure permitted under this Code to exist for a limited period of time.

Topless Bar: Any establishment which is required to hold a liquor license under Arizona law and which offers semi-nude performers as entertainment.

Translucent – Admitting and diffusing light so that objects and the light source beyond cannot be clearly perceived.

Use: The purpose for which land or a building thereof is designed, arranged, or intended, or for which it is occupied or maintained, let or leased.

Use, Accessory – A use of a building or lot which is customarily incidental and subordinate to the principal use of the main building or lot.

Use, Conditional – Any use which may be established in the particular zoning district in which it is allowed only upon meeting the conditions and limitations as prescribed by this Ordinance.

Use, Permitted – A use which is lawfully established in a particular district and which conforms with specified development standards

Utility trailer: Any wheeled vehicle without motor power, which is designed to be drawn by a motor vehicle and which is generally and commonly used to carry and transport personal effects, trash and rubbish, equipment, or automobiles.

Vehicle: Any vehicle designed to carry one or more persons, which is propelled or drawn by mechanical power, such as automobiles, trucks, and motorcycles.

Vehicle, Commercial: Any vehicle or trailer typically used for business, industrial, office or institutional purposes or having painted thereon or affixed thereto a sign identifying a business, industry office of institution or a principal product or service of such. Agricultural equipment used as part of a permitted agricultural principal use shall not be considered a commercial vehicle.

Vehicle, Inoperable: A vehicle not currently registered or licensed in this state or another state, or any vehicle that is unable to operate or move under its own power. It shall also mean any motor vehicle that is in an abandoned, wrecked, dismantled, scrapped, junked or partially dismantled condition that includes having no wheels, or lacking other parts necessary for the normal operation of the vehicle. It shall also mean any vehicle that because of mechanical defects, a wrecked or partially wrecked frame or body or dismantled parts, cannot be operated in a normal, and safe manner.

Vehicle, Maneuvering Area: That portion of a lot that is an improved dustproof surface used by vehicles for access, circulation, loading and unloading, but is not used for vehicle parking or storage.

Vehicle, Parking: A dustproof surface used for the placement of vehicles for limited periods of time.

Vehicle, Personal: A passenger vehicle that is owned or leased by an individual.

Vehicle, Storage: For the purposes of this ordinance, references to vehicle storage shall not be determined based solely on duration, but rather on the negative effects commonly associated with prolonged parking and/or abandonment. A vehicle shall be deemed stored if any of the following effects exist: after five consecutive days the vehicle has not been moved a minimum of 20 feet, accumulation of spiderwebs, dirt and debris, flat tires, damaged or missing body parts, or broken or unusable windows. Vehicles placed on blocks or similar devices where all or part of the vehicle is not touching the ground shall be considered inoperable.

Visible: Capable of being seen (whether or not legible) by a person of normal height and visual acuity walking or driving on a public road.

Wall: An artificially constructed barrier of solid stucco, masonry, rock or concrete material erected to enclose or screen areas of land.

Wall, Building – means any exterior surface of a building or any part thereof, including windows.

Watchman's Quarters: A single dwelling unit that is accessory to an allowed non-residential use and that is occupied solely by an individual who is responsible for maintenance or security in association with the principal use of the property.

Wireless Communication Facility (WCF): A facility that sends and/or receives wireless communication signals, including, but not limited to, antennas, microwave dishes, antenna structures, towers, equipment enclosures and the land upon which they are all situated. Wireless communication facilities can be concealed, disguised or visible.

Wireless Communications Facility, Antenna: Any structure or device used to transmit and/or receive wireless signals for the provision of cellular, paging, personal communications services and microwave communications. Such structures and devices include, but are not limited to, directional antennas, such as panel antennas, microwave dishes and satellite dishes, and omni-directional (WHIP) antennas.

Wireless Communications Facility, Antenna Structure: An antenna and its associated structure, such as a monopole or tower and co-axial cables.

Wireless Communications Facility, Cell On Wheels (COW): A portable self-contained cell site that can be moved to a location and set up to provide personal wireless services on a temporary or emergency basis. A COW is normally vehicle-mounted and contains a telescoping boom as the antenna support structure.

Wireless Communications Facility, Co-Location: The act of siting multiple wireless communications providers in the same location and on the same support structure. Collocation also means locating one or more additional wireless communication facilities on a structure designed for a different purpose such as, but not limited to, buildings, water tanks, towers, flagpole or utility poles without the need to construct a new support structure.

Wireless Communication Facility, Co-Located: A facility owned by one or more wireless communication service providers that is attached to a facility or site owned by a different wireless communication service provider.

Wireless Communication Facility, Concealed: A facility designed to be architecturally integrated into a building so that the antenna, support structures, cabling and equipment are completely encased or hidden or designed in a manner that blends into the environment so the antenna structure cannot be seen or, if seen, cannot be recognized as wireless communication facilities. Concealed wireless communication facilities include, but are not limited to, architecturally screened roof-mounted facilities such as elevator or stairway penthouses, chimneys, flues, vents and roof-top equipment storage areas. Artwork or architectural design features such as church spires, clock towers and signs or flag poles may also be considered concealed wireless communication facilities if they encase or hide the wireless communication facility.

Wireless Communication Facility, Disguised: A facility designed and sited so that the antenna structure is minimally obtrusive and appears to be part of the physical surroundings. Disguised wireless communication facilities include, but are not limited to, a monopalm, a monocactus, or monopine. The location of a wireless communication facility on athletic field light poles, water towers, street lights, traffic light or utility poles, walls and fences, and suspended wire antennas would also be considered disguised if the antennas, cabling and related equipment and structures are not commonly recognized as a wireless communication facility.

Wireless Communication Facility, Equipment Enclosure: A tract or area of land enclosed by a solid wall that contains one or more wireless communication facility antennas, their associated equipment shelters and other equipment associated with and ancillary to wireless communication.

Wireless Communication Facility, Equipment Shelter: A fully enclosed structure, cabinet or vault located at the base of or near a wireless communication facility that is used to house and protect the electronic and supporting equipment necessary for processing wireless communication signals. An equipment shelter often has, among other things, batteries, generators, electrical equipment, one or more air conditioning units, a power meter and disconnect located on the outside.

Wireless Communication Facility, Monocactus: A single, freestanding and unguyed three-dimensional structure in the shape of a saguaro or similar cactus erected on the ground that houses one or more antenna. The structure must be anatomically correct in its color, texture and design to give the appearance of a cactus. For purposes of this appendix A, a monocactus is not a tower.

Wireless Communication Facility, Monopalm: A single, freestanding and unguyed structure in the shape of a palm tree erected on the ground that supports one or two disguised antenna. The structure must be anatomically correct in its color, texture and design to give the appearance of a palm tree. For purposes of this appendix A, a monopalm is not a tower.

Wireless Communication Facility, Monopine: A single, freestanding and unguyed structure in the shape of a pine tree erected on the ground that supports one or more antenna. The structure must be anatomically correct in its color, texture and design to give the appearance of a pine tree. For purposes of this appendix A, a monopine is not a tower.

Wireless Communication Facility, Monopole: A single, freestanding and unguyed pole-type structure erected on the ground that supports one or more antenna. For purposes of this appendix A, a monopole is not a tower.

Wireless Communication Facility, Support Equipment: Any equipment serving or being used in conjunction with a wireless communication facility or support structure. This equipment includes, but is not limited to, utility or transmission equipment, power supplies, generators, batteries, cables, equipment buildings, cabinets and storage sheds, shelters or other structures.

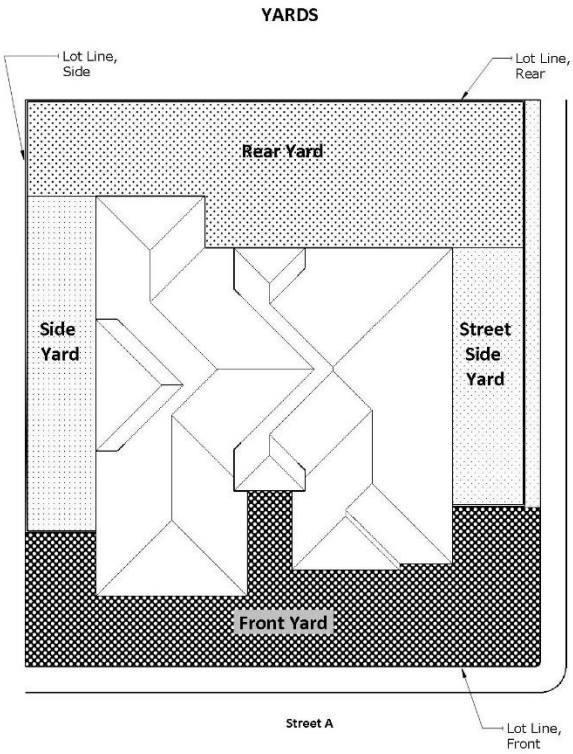
Wireless Communication Facility, Support Structure: A structure that supports a wireless communication facility including, but not limited to, monopoles, towers, utility poles and other freestanding self-supporting structures.

Wireless Communication Facility, Tower: A lattice-type structure, guyed or freestanding, that supports, holds or contains equipment that sends and/or receives wireless communication signals, including, but not limited to, antennas.

Wireless Communication Facility, Visible: A facility that is clearly recognized and not concealed or disguised.

Wireless Communication Service Provider: The entity that is responsible for providing wireless communication to the general public, private sector, or governmental or quasi-governmental agency that owns or operates and maintains a wireless communication facility.

Yard: Open space on the same lot with a building or group of buildings, lying between the building (or outer building of a group) and the nearest lot line and unoccupied and unobstructed from the ground upward.



Yard, Front: An open space extending the full width of the lot between the front lot line and the front planes of the building and any front-facing privacy walls. Where such privacy walls do not exist, the front yard shall be the area between the front lot line and the front planes of the building projected to the side lot lines.

Yard, Rear: An open space extending the full width of the lot between the rear lot line and the rear planes of the building projected to the side lot lines, or, for corner lots where a privacy wall or fence exists between the building and the side lot line, projected to the privacy wall or fence.

Yard, Side: An open space between the side lot line, and the side planes of the building and extending from the front yard to the rear yard.

Yard, Street Side: Where a privacy wall or fence exists between the building and a street side lot line, the side yard shall include the open space area between the street side lot line and the privacy wall or fence, extending from the front plane of said wall to the rear lot line.

Zoning Administrator: The city employee responsible for the enforcement and interpretation of the zoning ordinance. Also known as the Development Services Director or designee.

Zone: An area within which certain uses of land and buildings are permitted and certain others are prohibited; yards and other open spaces are required; lot areas, building height limits, and other requirements are established; all of the foregoing being identical for the zone in which they apply.

Zoning District: A designated area in which the same zoning regulations apply through the geographic area.

(Ord. No. 1772, 6-23-93; Ord. No. 1874, § 1, 3-12-96; Ord. No. 1947, § 1, 6-24-97; Ord. No. 2002, § 1, 4-28-98; Ord. No. 2089, § 1, 7-27-99; Ord. No. 2136, § 1, 5-9-00; Ord. No. 2176, § 1, 12-19-00; Ord. No. 2206, § 1, 7-24-01; Ord. No. 2280, § 1, 10-22-02; Ord. No. 2386, § 1, 6-22-04; Ord. No. 2532, § 1, 10-24-06; Ord. No. 2763, § 1, 2-22-11; Ord. No. 2805, § 1, 6-26-12; Ord. No. 2976, § 1, 2-23-16; Ord. No. 017-51, § 1, 10-24-17; Ord. No. 019-38, § 1, 4-23-19; Ord. No. 019-48 , § 1, 5-28-19)