

ORDINANCE # 2024-03

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, APPROVING A TEXT AMENDMENT TO THE SURPRISE LAND DEVELOPMENT ORDINANCES TO IMPROVE CLARITY AND REMOVE CONFLICTS; INCLUDING SEVERABILITY; ESTABLISHING AN EFFECTIVE DATE; AND REPEALING CONFLICTING ORDINANCES.

WHEREAS, this Ordinance was properly noticed for public hearing and the necessary hearings and opportunity for public input were completed;

WHEREAS, City staff has identified minor drafting and other scrivener's errors in the Land Development Ordinances and has further determined that a number of provisions could be revised to enhance clarity and readability, provide more concise interpretations, and to correct internal inconsistencies with other sections of the LDO;

WHEREAS, this Ordinance and the accompanying text amendment proposes to correct scrivener's errors; correct conflicting references; improve clarity and consistency; add language to provide the Community Development Director with discretion in determining the front of a corner single-family residential lot; reduce site plan validity limits from two years to one year; ensure the LDO is consistent with state statutes; add requirements for amending Conditional Use Permits; and remove conflicts between street side setbacks and landscape tracts in single-family residential districts;

WHEREAS, City staff recommends that all of these corrections and revisions to the Land Development Ordinances should be effected by adopting a single ordinance; and

WHEREAS, on February 15, 2024, the Planning and Zoning Commission recommended approval of the proposed Text Amendments to the Land Development Ordinances.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Surprise, Arizona, as follows:

Section 1. Chapters 101, 102, 103, 104, 105, 106, 107, 108, and 109 of the Surprise Land Development Ordinances are hereby amended as described on attached **Exhibit A**, and incorporated by this reference.

Section 2. All ordinances, resolutions or codes in conflict with the provisions of this Ordinance or Code adopted by this Ordinance are repealed upon the effective date of this Ordinance.

Section 3. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by decision of any court

of competent jurisdiction, such decision will not be read to affect the validity of the remaining portions thereof.

Section 4. This ordinance will become effective at the time and manner prescribed by law and shall be added to the Surprise Code of Ordinances at that time.

PASSED AND ADOPTED this 5th day of March, 2024.

Skip Hall, Mayor

Attest:

Approved as to form:

Kristi Passarelli, City Clerk

Robert Wingo, City Attorney

EXHIBIT A

PART II LAND DEVELOPMENT ORDINANCE¹

Chapter 101 ADMINISTRATIVE PROVISIONS

ARTICLE II. RULES OF INTERPRETATION AND GLOSSARY OF TERMS

Sec. 101-2.2. Glossary of terms.

Lot line. The boundary that sets the border of a *lot* (commonly known as a property line). For specific application of specific *lot lines* see the definitions below and **Figure 101-2a**.

1. **Lot line, front.** The *lot line* separating the *lot* from the *right-of-way*.
 - a. In the case of an interior lot or through lot, a line separating the lot from the street.
 - b. In the case of a corner lot, the *front lot line* separating the narrowest street frontage of the lot from the street. For square, *corner lots*, the front shall be determined by the community development director or designee. For lots with significant site constraints, the front shall be determined by the community development director or designee.
 - c. In the case of *flag lots*, the *front lot line* shall be the line closest to perpendicular to the street on which the lot accesses, unless determined otherwise by the community development director or designee.
 - d. In the case of irregular shape lots (see **Figure 101-2a**), the *front lot line* shall follow the right-of-way line.
 - e. In the case of recessed lots that does not *abut* a right-of-way, the *front lot line* shall be the access easement unless determined otherwise by the community development director or designee.
2. **Lot line, rear.** A *lot line* which is opposite and most distant from the *front lot line*. An irregular or triangular shaped *lot* may have more than one (1) rear lot line or a line ten (10) feet in length within the *lot*, parallel to and at the maximum distance from the chord of front *lot line*.
3. **Lot line, side.** Any *lot line* that is not a front *lot line* or a rear *lot line*.

Street. A general term used to describe a paved *right-of-way*, municipally or privately owned, serving as a means of travel, usually affording the principal means of *access* to *abutting* property.

1. **Street, arterial (major and minor).** ~~Streets designed to carry large amounts of traffic across or through the city and designated as such by the city General Plan.~~ Streets designed to carry large amounts of traffic across or through the city and designated as such by the city General Plan.

Variance. A modification or variation of the development standards in **Chapter 106** of the LDO as applied to a specific piece of property, as further outlined in Sec 102-6.5. ~~Dimensional variances only may be allowed; no~~

~~variance regarding use of property shall be permitted; no variance decreasing lot area requirements shall be allowed.~~

Chapter 102 REVIEW PROCESS AND APPLICATIONS

ARTICLE III. PUBLIC OUTREACH AND PUBLIC NOTIFICATION

Sec. 102-3.2. Public notification methods.

- A. Depending on the procedure type, one (1) or more of the following methods of public notification may be required.
 2. Legal ad. In a newspaper of general circulation in the city, a public notice shall be published at least fifteen (15) days ~~for all other applications~~, prior to the public hearing.

Sec. 102-3.3. Neighborhood meetings.

- A. This is conducted by the *applicant* and/or *developer*.
 2. Public notice of the neighborhood meeting is required and shall include ~~both "newspaper publication" and "letter by first class mail"~~ "legal ad," "mail-out by first class mail," and "site posting" as outlined above. The notice shall also be transmitted to the planning agency of any *adjacent* municipalities and unincorporated areas of the county.

ARTICLE IV. - TYPE 1 APPLICATION AND REQUESTS

Sec. 102-4.2. - Site plan review.

- E. Validity limits. Approval of a *site plan* or *amendments* thereto, shall run with the land and may continue to be valid upon a change of *ownership* of the site or change of ownership of the *structure* for a period of ~~two (2) years~~ one (1) year following the date of approval.

Sec. 102-4.4. - Use permits (administrative and temporary).

- A. ~~Those uses that are allowed under an administrative use permit (AUP) and/or a temporary use permit (TUP) in either the land use matrix of Table 106-1a or in the accessory use matrix of Table 106-1b, of this LDO, shall be authorized by the community development director.~~
- A. Those *uses* that are allowed by the land use matrix of this LDO (Table 106-1c) under an *administrative use permit* (AUP) and/or a *temporary use permit* (TUP) shall be authorized by the community development director.

ARTICLE VI. TYPE 3 APPLICATION AND REQUESTS

Sec. 102-6.1. - General Plan amendments and specific area plans.

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- A. *Amendments* or changes to the city *General Plan* may be initiated by the city council, planning and zoning commission, community development director, or by a property *owner* or the property *owner's* authorized representative. Any change to the maps or text of the *General Plan* is an *amendment* to the *General Plan*.
1. Major amendment. An application for a major *amendment* to the *General Plan* must ~~be filed prior to April 1st of the calendar year and must~~ be heard by the city council ~~on the first available council meeting in December of the calendar year~~ within 12 months of when the request was submitted. Any major *amendment* must first be submitted for commission review and recommendation. Major *amendments* shall require an affirmative vote of at least two-thirds ($\frac{2}{3}$) of the council.

Sec. 102-6.3. Conditional use permits.

- ~~C. Applicability. Uses which may be subject to a CUP are those uses enumerated as "CUP" in either the primary land use matrix of Table 106-1a or in the accessory use matrix of Table 106-1b.~~
- C. Applicability. Uses which may be subject to a CUP are those uses enumerated as "CUP" in the primary land use matrix of Table 106-1c.
- H. *Amendments* to *conditional use permits* shall be processed in the same manner as the original permit, except that requests to alter or modify an approved conditional use permit by no more than ten (10) percent in comparison to the most recent site plan approved by planning and zoning commission and which typically has no significant changes to infrastructure, buildings and structures, circulation, or grading and drainage, shall be considered minor *amendments* meeting the requirements of Section 102-4.2 of this ordinance and may be authorized by the community development director.

Sec. 102-6.5. Variances.

- A. Purpose. This section provides the potential for relief from the *zoning* development standards, but not to the *permitted uses*, densities, or guidelines, of this code. Dimensional *variances* only may be allowed; no *variance* regarding use of property shall be permitted; no *variance* decreasing *lot* area requirements shall be allowed. Notification for *variance* requests shall follow the requirements set forth in A.R.S. § 9-462.06 and the provisions outlined in this chapter.

Chapter 103 ENFORCEMENT

ARTICLE I. IN GENERAL

Sec. 103-1.3. Administrative remedies.

- A. Administrative remedies may include:
- (1) The withholding of plan approval, permits, certificates, or any other form of authorization or approval under the authority of the community development director or designee as outlined by the LDO, after determination of any of the following:
- a. Any violation of the LDO; or
- b. Any violation of a condition, stipulation, or qualification of a permit, certificate, approval or other authorization previously granted by the city.

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- (2) Revocation of any plan approval, permit, certificate, or any other form of authorization or approval under the authority of the city manager or designee as outlined by the LDO after determination of any of the following:
 - a. There is departure from the plans, specifications, or conditions as required under terms of the permit; or
 - b. The permit was procured by false representation; or
 - c. The permit was issued in error; or
 - d. Any of the provisions of the LDO are being violated.
 - e. Any violation of a condition, stipulation, or qualification of a permit, certificate, approval or other authorization previously granted by the city.
- (3) Written notice of such revocation shall be served upon the *owner*, the *authorized agent* or contractor, or upon any person employed on the premise for which such permit was issued, or shall be posted in a prominent location; and, thereafter, no such construction shall proceed except to correct such violation or to comply with the order. Such order shall state the nature of the violation, the specific provision violated, and the date and time by which the violation must be corrected.
- (4) The city may require a stop to grading, construction, or work on any *building* or *structure* on any land on which there is an uncorrected violation of a provision of the LDO, or of a permit or other form of authorization issued hereunder.
- (5) The city may seek a court ordered injunction or other equitable relief to stop any violation of the LDO or of a permit, certificate or other form of authorization granted hereunder.
- (6) In accordance with this chapter, the codes referenced in Chapter 105, and A.R.S. § 9-499, the city may abate a violation of the LDO.
- (7) The city, at the direction of the city manager or designee may prohibit, restrict, or revoke occupancy of any *building* by any person or entity in which there has been a failure to comply with any permit, plans, specifications, or conditions required under the terms of the permit or any plan or other approval of the city.

~~{(1)} The withholding of plan approval, permits, certificates, or any other form of authorization or approval under the authority of the community development director or designee as outlined by the LDO, after determination of any of the following:-~~

- ~~a. Any violation of the LDO; or~~
- ~~b. Any violation of a condition, stipulation, or qualification of a permit, certificate, approval or other authorization previously granted by the city.-~~

~~{(2)} Revocation of any plan approval, permit, certificate, or any other form of authorization or approval under the authority of the city manager or designee as outlined by the LDO after determination of any of the following:-~~

- ~~a. There is departure from the plans, specifications, or conditions as required under terms of the permit; or-~~
- ~~b. The permit was procured by false representation; or~~
- ~~c. The permit was issued in error; or~~
- ~~d. Any of the provisions of the LDO are being violated.~~

~~{(3)} Written notice of such revocation shall be served upon the *owner*, the *authorized agent* or contractor, or upon any person employed on the premise for which such permit was issued, or shall be posted in a prominent location; and, thereafter, no such construction shall proceed except to correct such-~~

~~violation or to comply with the order. Such order shall state the nature of the violation, the specific provision violated, and the date and time by which the violation must be corrected.~~

~~[(4)] The city may stop grading, construction, or work on any *building* or *structure* on any land on which there is an uncorrected violation of a provision of the LDO, or of a permit or other form of authorization issued hereunder.~~

~~[(5)] The city may seek a court ordered injunction or other equitable relief to stop any violation of the LDO or of a permit, certificate or other form of authorization granted hereunder.~~

~~[(6)] In accordance with this chapter, the codes referenced in chapter 105, and A.R.S. § 9-499, the city may abate a violation of the LDO.~~

~~[(7)] The city, at the direction of the city manager or designee may prohibit, restrict, or revoke occupancy of any *building* by any person or entity in which there has been a failure to comply with any permit, plans, specifications, or conditions required under the terms of the permit or any plan or other approval of the city.~~

- B. In addition to any administrative penalties, any person who violates any provision of the LDO or any provision of any code referenced and adopted by the LDO; or who erects, constructs, *alters* or repairs a *building* or *structure* in violation of the approved construction documents, directive of the city manager or designee, or of a permit or certificate issued under the provisions of any code adopted by the LDO, may be found guilty of a civil or criminal violation.

Chapter 104 - FUNDAMENTAL DEVELOPMENT REQUIREMENTS

ARTICLE II. - ENVIRONMENTALLY AND CULTURALLY SENSITIVE LANDS DEVELOPMENT STANDARDS

Sec. 104-2.1. - Applicability.

- B. Elsewhere, when any portion of a development site, regardless of the acreage, *zoning*, or location within the city can be identified as having *environmentally sensitive features* or *cultural resources*, the entire development site shall be required to adhere to the following processes, procedures, and regulations:
1. Develop an *Environmental Inventory Plan* and report of the site;
 2. Utilize an *Integrated Conservation Design* approach in the design and development of the project; and
 3. Comply with the *environmentally sensitive lands standards* outlined in **Chapter 5 of the PEDS** ~~in the PEDS—Chapter 5~~ and the standards outlined in the following sections.

Sec. 104-2.8. - Hillside development area regulations.

- B. *Gross residential density* limitations. The maximum number of *lots* into which land located in a *hillside development area* may be *subdivided* shall be the sum of the number of *lots* allowed in each slope category of land as shown in **Table 104-2.b** below.

Table 104-2b—Hillside Gross Residential Density Allocation

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Slope of Land/Lot	Maximum Number of Lots Per Gross Acre
0% to 10%	Underlying zoning
10% to 15%	1.30 *
15% to 20%	1.00 *
20% to 25%	0.70
25% to 30%	0.50
30% to 35%	0.30
35% to 40%	0.20
40% and over	0.10

Notes:
* The allowable gross residential density of these slope categories may exceed the maximum number of lots shown above when density is transferred from a higher slope category (refer to ~~Section 104-1.10~~ Section 104-1.11 for details). In no case shall the gross residential density exceed the sum of the number of lots allowed by the zoning district and in no case shall units be transferred to a location of higher elevation within the project.

C. Land disturbance regulations.

5. The total combined maximum height of any fill and/or the depth of any cut, including grading for the construction of public or private streets or any subsequent grading, along with the establishment of any building site or driveway shall be ten (10) feet, as measured from natural grade, regardless of whether the fill or cut is retained, un-retained, or a combination thereof. These limitations may be amended on a site-by-site basis by the planning and zoning commission. However, the community development director may approve unexposed basement cuts exceeding the maximum ten (10) foot depth if all of the following criteria are met:
 - d. The total depth of cut shall not exceed twenty-four (24) feet at any point (refer to detail in Chapter 5 of the PEDS).

Chapter 105 BUILDINGS AND BUILDING REGULATIONS

ARTICLE II. TECHNICAL CODES

Sec. 105-23. Administration and enforcement; conflict of laws.

The administrative authority for enforcement of this article shall be vested in the city manager or such delegate as the city manager may authorize or appoint. ~~This article shall be construed and enforced in conjunction with Chapter 125.~~ In the event there is a conflict between the provisions of this article or the codes adopted by this article and any other provision of this Code, then the provisions of this article or the codes adopted by this article shall prevail.

Chapter 106 ZONING AND USE STANDARDS

ARTICLE I. IN GENERAL

Sec. 106-1.1. Zoning classification.

- A. In accordance with the authority granted in A.R.S. § 9-462.01.B. in order to classify and regulate the *use of land, buildings and structures*, and to regulate the open areas around and between the *buildings and structures*, and to regulate the density of *dwelling units*, the city is hereby divided into the *zoning districts* and overlay districts as incorporated herein **Table 106-1a** below:

Table 106-1a—Land Development Ordinance (LDO) Zoning Districts and Density		
Symbol	District Name	Dwelling Units-Ratios
RR	Residential rural	43,560-sf/du
R-1	Residential low density	4,950-sf/du
R-2	Residential medium density	4,000-sf/du
R-3	Residential high density	
SHD-RO	Surprise heritage district—Residential overlay	Overall 8-du/ac
SHD-CO	Surprise heritage district—Commercial overlay	Overall 10-du-ac
TND-R	Traditional neighborhood development—Residential	Overall 8-du/ac
TND-C	Traditional neighborhood development—Commercial	
TND-MU	Traditional neighborhood development—Mixed use	Max. 18-du/ac
TND-OS	Traditional neighborhood development—Open space	
MU-1	Mixed use medium density	8-du/ac
MU-2	Mixed use high density	Min. 8-du/ac
MU-3	Mixed use resort	8-20-du/ac
C-O	Office commercial	
C-1	Neighborhood commercial	
C-2	Community commercial	
C-3	Regional commercial	
BP	Business park	
I-1	Light industrial	
I-2	General industrial	
I-3	Heavy industrial	
OS-1	Open space conservation	
OS-2	Open space recreation	
PF	Public facilities	

Sec. 106-1.4. - Establishment of land uses.

- A. The land use matrix (**Table 106-1c**) describes allowed primary land uses within the different *zoning districts* and overlay *zoning districts* on the basis of common functional characteristics and land use compatibility. **Accessory structures and land uses that may be allowed accessory to the legal primary uses within the different zoning districts and overlay zoning districts are also described in this table.** The symbolism used in **Table 106-1c** is defined as follows:

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1. "P" "P" designates that the *use* is permitted by right.
 2. "AUP" "AUP" designates that the *use* is permitted with an "administrative use permit" as well as any use specific standards per **Article X** of this chapter herein; processed as a Type 1 development application (see [Chapter 102](#)).
 3. "CUP" designates that the *use* is permitted with a "conditional use permit" as well as any use specific standards per **Article X** of this chapter herein; processed as a Type 3 development application (see [Chapter 102](#)).
 4. "(blank space)" a blank space designates that the *use* is not permitted.
- B. ~~The accessory use matrix (Table 106-1d) further describes accessory structures and land uses that may be allowed accessory to the legal primary uses within the different zoning districts and overlay zoning districts. The symbolism used in Table 106-1d is the same as those defined in Section 106-1.4A. above.~~
- C. The zoning administrator shall determine if *uses* not expressly listed in ~~Tables 106-1c and 106-1d~~ **Table 106-1c** are significantly similar or dissimilar to particular *uses*:
1. Uses that are found to be similar shall meet the same requirements as the related *use* listed in this section.
 2. Uses that are found to be dissimilar, yet appropriate, shall require a text *amendment* processed in accordance with [Chapter 102](#).
 3. Uses that are not listed in this section and are found to be dissimilar and inappropriate shall be prohibited.

Sec. 106-1.7. - Development standards and encroachments.

- A. Setbacks. *Setbacks* shall not include any *structures, parking spaces, or drive aisles*; except as listed herein and/or other sections of this ordinance.
5. *Accessory uses* identified in ~~Table 106-1d~~ **106-1c** and regulated in **Article X** of this chapter.

Sec. 106-1.8. - Compliance with other provisions.

- B. Use specific standards. Those land *uses* listed in ~~Table 106-1c and Table 106-1d~~ that have specific *use* standards associated with them shall comply with the specific standards outlined in **Article X** herein as well as to the PEDS in [Chapter 107](#).

See document entitled Use Table for revisions to table.

ARTICLE II. RESIDENTIAL ZONING DISTRICTS

Sec. 106-2.2. Rural residential (RR).

- C. Development standards. **Table 106-2b** below identifies the required development standards for the rural residential (RR) *zoning district*.

Table 106-2b—Rural Residential (RR) Zoning District
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Min. lot area (sf)	≥ 43,560
Min. lot width	130
Min. front setback (ft)	30
Min. rear setback ¹ (ft)	30
Min. side setback ¹ (ft)	20
Min. street side setback ¹ (ft)	20
Max. bldg. height (ft)	40
Lot coverage	25%
Open space (% of gross acres of residential development) ²	10%
<p>Notes:</p> <p>1. <i>Garage</i> face and embellishments shall be <i>setback</i> a minimum of 20 feet measured from the opposing property line except rear, <i>alley</i> loaded <i>garages</i>, which shall be <i>setback</i> nine feet from edge of <i>alley</i> line.</p> <p>2. The city requires <i>open space</i> on a new subdivision; if recorded as metes and bounds or by a <i>minor land division</i> than then <i>open space</i> will be required on each individual <i>lot</i>; such as <i>open space</i> or trail easements.</p>	

Sec. 106-2.3. - Residential low density (R-1).

C. Development standards. **Table 106-2c** below identifies the required development standards for the residential low density (R-1) *zoning district*.

Table 106-2c—Residential Low Density (R-1) Zoning District						
Lot Categories	A ³	B	C	D	E	F
General Plan compatibility	Suburban	Suburban	Suburban	Suburban and rural	Rural	Rural
Lot area (sf)	4,950—7,999	8,000—11,999	12,000—17,999	18,000—27,999	28,000—43,559	≥43,560
Min. lot width (sf)	45	60	80	90	100	130
Min. front setback ¹ (ft)	12	12	15	20	20	30
Max. front setback (ft)	25	25	30	35		
Min. rear setback ¹ (ft)	15	20	20	25	30	30
Min. side setback ¹ (ft)	5 & 8	5 & 10	10	10 & 15	20	20
Min. street side setback ¹ ⁴ (ft)	15	15	15	15	20	20
Max. bldg. height (ft)	35	35	35	35	35	35

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Max. lot coverage		45%	40%	30%	30%	25%
Open space (% of gross area of residential development) ³	20%	20%	20%	15%	15%	10%
<p>Notes:</p> <p>1. <i>Garage</i> face and embellishments shall be <i>setback</i> a minimum of 20 feet measured from any opposing property line; except rear <i>alley</i> loaded <i>garages</i>, which shall be <i>setback</i> six feet from edge of <i>alley</i> line.</p> <p>2. The city requires <i>open space</i> on a development/subdivision basis rather than on a <i>lot-by-lot</i> basis. Subdivisions with more than one lot category will provide the higher percentage of open space.</p> <p>3. Residential projects shall contain no more than 50 percent of lots less than 48 feet wide as calculated across whole subdivisions or preliminary plat and will include mitigating designs outline in Chapter 108 of this ordinance.</p> <p>4. Corner lots where block endcap landscape tracts are provided are not subject to the minimum street side setbacks.</p>						

Sec. 106-2.4. - Residential medium density (R-2).

- C. Development standards. Table 106-2d below identifies the required development standards for the residential medium density (R-2) zoning district.

Table 106-2d—Residential Medium Density (R-2) Zoning District				
Lot Categories	A ⁴	B ⁴	C	D
General Plan compatibility	Urban	Suburban	Suburban	Suburban
Lot area (sf)	3,500—4,949	4,950—7,999	8,000—11,999	≥12,000
Min. lot width (sf)	40	45	70	80
Min. front setback ¹ (ft)	10	12	12	15
Max. front setback (ft)	25	25	25	30
Min. rear setback ¹ (ft)	10	15	20	20
Min. side setback ¹ (ft)	5 & 7 ²	5 & 8 ²	5 & 10	10
Min. street side setback ^{1 5} (ft)	10	10	10	10
Max. bldg. height (ft)	35	35	35	35
Open space (% of gross acres of residential development) ³	25%	20%	20%	20%
<p>Notes:</p> <p>1. <i>Garage</i> face and embellishments shall be <i>setback</i> a minimum of 20 feet measured from any opposing property line, except rear <i>alley</i> loaded <i>garages</i>, which shall be <i>setback</i> nine feet from <i>alley</i> edge line.</p>				

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2. May be reduced to zero feet *setback* for *single-family dwellings* as *attached building* and separated by a *common wall* along the property line. End units must maintain the larger *setback*.
3. The city requires *open space* on a subdivision or development site basis rather than on a *lot-by-lot* basis. Subdivisions with more than one lot category will provide the higher percentage of open space.
4. Residential projects shall contain no more than 50 percent of lots less than 48 feet wide as calculated across whole subdivisions or preliminary plat and will include mitigating designs outline in [Chapter 108](#) of this ordinance.
5. Corner lots where block endcap landscape tracts are provided are not subject to the minimum street side setbacks.

Sec. 106-2.5. - Residential high density (R-3).

Table 106-2e—Residential High Density (R-3) Zoning District			
Net Density (du/ac)	8-11.9	12-14.9	15+
Min. setback to arterial ROW (ft) ²	20	20	20
Min. setback to collector and local ROW (ft) ²	15	15	15
Min. setback adjacent to residential zoning (ft)	10	15	20
Min. setback adjacent to non-residential zoning (ft)	20	20	20
Max. bldg. height ¹ (ft)	45	50	60
Open space (sf/du)	150	150	150
<p>Notes:</p> <ol style="list-style-type: none"> 1. The <i>height</i> of any <i>structure</i>, or portions thereof, shall not exceed 30 feet in <i>height</i> measured at the <i>setback</i> line when <i>adjacent</i> to <i>single-family, two-family, three-family development parcels</i>. The <i>height</i> of the <i>accessory structure</i> may increase at a ratio of one foot vertical for every one foot horizontal as measured relative to the property line to a maximum <i>height</i> equal to the <i>zoning</i>. 2. <i>Setback</i> may be reduced to ten feet along collector or local <i>right-of-way</i> for units that open to the <i>street</i> and exclude a perimeter wall. 			

ARTICLE III. SURPRISE HERITAGE DISTRICT (SHD) ZONING DISTRICTS

Sec. 106-3.1. General standards.

- C. Establishment of zoning districts . The SHD *zoning district* is an umbrella district that is applicable to all properties within this geographic area and includes either the *zoning* regulations and standards present on the property at the time the SHD *zoning* was adopted or one (1) of the overlay *zoning districts* specifically associated with the SHD *zoning district* as further described below:

1. SHD-RO. This residential overlay (RO) permits *uses* allowed as shown in **Table 106-1c and Table 106-1d**. Designs should be indicative of historic residential neighborhoods and the small scale *cottage industry uses* that are pedestrian-oriented and support the residents and allow for them to live, work, and play within their neighborhood. Limited commercial *uses* and *multi-family uses* shall be designed to match the scale, massing, and appearance of the *single-family* neighborhood may be appropriate on adequately sized *infill parcels*. Commercial *structures* are limited to three thousand (3,000) square feet. A minimum of five thousand (5,000) square feet of *lot area per dwelling unit* (5,000 sf/du) is required for all residential *lots*. *Gross residential density* for the SHD-RO *zoning district* shall be compliant with the suburban development type in the *General Plan* for up to eight (8) *dwelling units* per acre.
2. SHD-CO. This commercial overlay (CO) permits *uses* allowed as shown in **Table 106-1c and Table 106-1d** in **Article I** of this chapter. Designs should promote the local arts and culture as well as *business opportunities* that are compatible with and supportive of the residential overlay. A mix of neighborhood-scale commercial, retail, *entertainment establishments*, *live-work buildings*, and *mixed use* development shall be the primary land *uses*. Commercial *uses* shall be limited to forty-five thousand (45,000) square feet. *Multi-family* complexes may also be permitted within this overlay district if appropriately located at the fringes of the district to serve as a *buffer* to the *adjacent* residential neighborhood. A minimum of four thousand (4,000) square feet of *lot area per dwelling unit* (4,000 sf/du) is required for allowed *multi-family* and *mixed use* developments. *Gross residential density* for the SHD-CO *zoning district* shall be compliant with the *mixed use* residential and commercial development types in the *General Plan* for up to ten (10) *dwelling units* per acre.

Sec. 106-3.2. Design and development standards in the SHD zoning district.

B. Development standards.

1. Existing *mobile homes* and *manufactured homes* that are not in compliance with the use-specific standards of **Section 106-10.25 106-10.26** herein as of the effective date of this ordinance shall be considered as legal non-conforming *structures*. However, the existing *mobile home* or *manufactured home* may be replaced in its entirety with a conventional site-built home or with a *manufactured home* that complies with the use specific standards outlined in of **Section 106-10.25 106-10.26** herein.

ARTICLE IV. TRADITIONAL NEIGHBORHOOD DEVELOPMENT (TND) ZONING DISTRICTS

Sec. 106-4.1. - General.

C. General provisions.

4. All land *uses* shall comply with the land *use* matrix in **Table 106-1c and Table 106-1d** in **Article I** of this chapter.

Sec. 106-4.2. - Establishment of TND zoning districts.

- B. The overlay zones indicate the proposed future land *uses* that are anticipated for the different *development parcels* that are shown on the "TND plan of development," but the definitive boundaries are not confirmed until the *platting* process is completed. The overlay zones associated with TND *zoning district* are described below:
 1. TND-R. This residential overlay is for those *development parcels* that are predominately designated for residential and the other neighborhood oriented land *uses* listed in **Table 106-1c and Table 106-1d** in **Article I** of this chapter.

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2. TND-C. This commercial overlay is for those *development parcels* that are predominately designated for commercial land *uses* listed in **Table 106-1c** and **Table 106-1d** in **Article I** of this chapter.
3. TND-MU. This *mixed use* overlay is for those *development parcels* that are designated for *mixed use* by vertically or horizontally integrating residential with commercial land *uses* listed in **Table 106-1c** and **Table 106-1d** in **Article I** of this chapter.
4. TND-OS. This *open space* overlay is for those *development parcels* that are designated as *open space*, to be retained in perpetuity as such, per the percentages required for the particular TND development. *Uses* shall be limited to those listed in **Table 106-1c** and **Table 106-1d** in **Article I** of this chapter.

Sec. 106-4.3. Review and process.

C. Incentives.

4. The TND residential (TND-R) overlay is the only *zoning district* where the "shared court" (commonly known as four-packs and five-packs), "shared cluster", "mansion *apartment*", or rowhouse/townhome housing products are permitted to be utilized in the city (see PEDS, **subsection 2.5D 2.5E** for specific details).

Sec. 106-4.4. Development standards.

- C. All *development parcels* shall adhere to the approved TND plan of development.

Table 106-4b—Development Standards for TND-R Parcels								
Lot Categories	A ⁹	B	C ¹	D ¹	E ¹	F ¹	G ⁷	
Lot area (square feet)	2,000—3,499	3,500—4,949	4,950—7,999	8,000—11,999	12,000—17,999	18,000 and over	Multi-family 16,000	Commercial & MU 16,000
Min. lot width (sf)	35 ⁸	40 ⁸	50	70	80	90	N/A	N/A
Min. front setback (ft)	5 ²	10 ^{2.5}	12 ^{2.5}	15 ^{2.5}	25 ⁴	30 ⁴	15	15
Max. front setback (ft)	N/A	N/A	N/A	N/A	N/A	N/A	25	25
Min. side setback (ft)	5 ³	5 & 7 ³	5 & 8 ³	5 & 10	10	10 & 15	10	10

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Min. rear setback (ft) ²	5	10	15 ⁵	20 ⁵	25	30	20	15
Max. bldg. height (ft)	30	30	30	30	30	30	45 ⁶	35 ⁶
Lot coverage %	70%	60%	50%	50%	50%	40%	60%	60%

Notes:

1. Minimum *lot* area of 4,000 square feet per *dwelling unit*; except *lots* in column A and B are permitted one *dwelling unit*.
2. *Garage* face and embellishments shall be *setback* a minimum of 20 feet measured from any opposing property line; except rear *alley* loaded *garages*, which shall be *setback* six feet from *alley* edge line.
3. May be reduced to zero feet *setback* for *single-family dwellings* as *attached building* and separated by *common wall* along property line. End units must maintain the larger *setback*.
4. A covered front porch may encroach closer to the *street* by up to eight feet.
5. A covered porch may encroach into the *setback* by up to five feet.
6. The *height* of any *structure*, or portions thereof, shall not exceed 30 feet in *height* measured at the *setback* line when *adjacent* to *single-family* or *two-family lots*. The *height* of the *structure* may increase at a ratio of one-foot vertical for every one-foot *setback* horizontally, as measured relative to the property line, to the maximum allowed *height*.
7. Minimum *lot* area of 2,500 square feet per *dwelling unit*.
8. TND projects shall contain no more than 50 percent of lots less than 48 feet wide and will include mitigating designs outline in **Chapter 108** of this ordinance.
9. Only be used for a residential development with access for each dwelling unit provided by a common shared drive or rear-loaded alley.

ARTICLE V. - MIXED USE ZONING DISTRICTS

Sec. 106-5.1. - General.

- B. Intent . It is intended for the *mixed use zoning districts* to permit a wider variety of residential *uses* but a more specific range of commercial *uses* focused on meeting the daily needs of the residents while being compatible with and integrated into the residential neighborhoods. It is also the intent of these districts to create the *live-work-play* environment designed to promote a pedestrian scaled walkable development. All land *uses* shall comply with the land *use* matrix in **Table 106-1c and Table 106-1d** in **Article I** of this chapter.
- C. General standards .
 1. All development, regardless of the land *use* mix, shall comply with **Chapter 107** of this ordinance and adhere to the ~~planning and engineering design standards (PEDS)~~ **Planning and Engineering Design Standards (PEDS)** as applicable.
 9. All projects shall provide one hundred fifty (150) square feet of on-site usable *open space* per *dwelling unit*; unless otherwise indicated in the following MU development standards tables. Onsite *open space* shall include *amenities* and safety features that enable residents to *use* the *open space*. Acceptable

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types of *open space* are listed below and the design of such areas is further detailed in the PEDS (~~see volume 1, chapter 3~~) (see Volume 1, Chapter 3).

- D. Process. A type 3 review is required to establish any of the *mixed use zoning districts*. All development within a *mixed use zoning district* shall require a type 1 *site plan* review prior to the submittal for a *building* and/or grading permit. Some ~~proposed uses~~ **proposed uses** may require a *conditional use permit* (see **Table 106-1c** and **Table 106-1d** in **Article 1** herein for requirements).

Sec. 106-5.4. - Mixed use resort (MU-3).

C. Review and process.

1. Procedures.

a. A resort master *site plan* (MSP) shall be submitted as part of the *rezoning* process pursuant to **Chapter 102** of this ordinance. The resort MSP is the compilation of exhibits that demonstrate compliance with all requirements of this ordinance and shall identify the size and location of each allowed *development parcel* listed below.

(1) Residential. A residential *development parcel* does not require space designed for commercial occupancy but is meant for a variety of housing.

(2) Non-residential. A non-residential *development parcel* has no residential requirement associated with the land uses permitted in **Table 106-1c** and **Table 106-1d**.

ARTICLE VI. - COMMERCIAL ZONING DISTRICTS

Sec. 106-6.1. - General.

A. Purpose. The commercial *zoning districts* are intended to provide locations, standards and regulations for all varieties of retail shopping, service establishments, neighborhood convenience, entertainment, and *office uses* in a manner that is consistent with the *General Plan* while providing employment opportunities for existing and future residents of the city.

B. Applicability and intensity.

1. The commercial *zoning district(s)* may be applicable for land that is within the neighborhood, commerce and office, and employment character areas of the *General Plan*.

2. The commercial *zoning districts* listed below represent the different levels of allowed intensity of a development or land use in relation to the *building size*, scale, and overall impact on surrounding neighborhoods (i.e. corner store vs. traditional grocery store vs. typical big box with *outdoor display area*) as delineated in the land use matrix **Table 106-1c** in **Article I** of this chapter.

3. Outdoor uses such as dining, display, storage, *drive-through* facilities, entertainment uses, and sound systems may be allowed only in certain zones and under certain conditions as delineated in the ~~accessory use matrix Table 106-1d~~ **land use matrix Table 106-1c** in **Article I** of this chapter.

C. Process. A type 3 review is required to establish a commercial *zoning district*. All development within a commercial *zoning district* shall require a type 1 *site plan* review prior to submittal for a *building* and/or grading permit. Some ~~proposed uses~~ **proposed uses** may require a type 3 review for *conditional use permits* per **Table 106-1c** and **Table 106-1d** in **Article 1** of this chapter.

ARTICLE VII. EMPLOYMENT ZONING DISTRICTS

Sec. 106-7.1. - General.

- C. Applicability and intensity.
2. The employment *zoning districts* listed below represent the different levels of allowed intensity of a development or land *use* in relation to the *building* size, scale, and overall impact on surrounding neighborhoods and developments. All land *uses* shall comply with the land *use* matrix in **Table 106-1c and Table 106-1d** herein or otherwise is considered in violation of this Code.
- D. Review and process. A type 3 review is required to establish any of the employment *zoning districts*. All development within the *business park zoning district* or any of the industrial *zoning districts* shall require a type 1 *site plan* review prior to the submittal for a *building* and/or grading permit. Some ~~proposed uses~~ **proposed uses** may require a type 3 review for *conditional use permits* as identified in **Table 106-1c and Table 106-1d** in **Article 1** of this chapter.

Sec. 106-7.2. Establishment of employment zoning districts.

- B. ***Light industrial (I-1) zoning district***. The light industrial *zoning district* provides for a mix of industrial activities which have generally negative impacts on the community, and which may be incompatible with other *uses*.
2. The *uses* permitted within the I-1 *zoning district* are intended to be indoor *uses* with restricted and limited outdoor operations and storage, see **Section ~~106-10.34~~ 106-10.32**.
- C. ***General industrial (I-2) zoning district***. The general industrial *zoning district* provides for a mix of industrial activities requiring large land areas unencumbered by nearby residential or commercial development.
2. The *uses* permitted within the I-2 *zoning district* are a variety of indoor *uses* with outdoor operations and storage, see **Section ~~106-10.34~~ 106-10.32**.

ARTICLE VIII. - CIVIC ZONING DISTRICTS

Sec. 106-8.1. - General.

- C. Review and process. A type 3 review is required to establish any of the civic *zoning districts*. All development within the public facilities or any of the open space *zoning districts* shall require a type 1 *site plan* review prior to application for a *building* and/or grading permit. Some ~~proposed uses~~ **proposed uses** may require a type 3 review for *conditional use permits* per **Table 106-1c and Table 106-1d** in **Article 1** of this chapter.

ARTICLE IX. - OVERLAY ZONING DISTRICTS

Sec. 106-9.1. - Planned unit development (P) overlay.

E. General regulations and permitted deviations.

1. The PUD overlay district may establish alternate standards (except lot area per dwelling unit) for those found in [Chapter 106](#) and ~~Chapter 109~~ [Chapter 107](#). Standards developed through the PUD overlay district rezoning process shall be appropriate to the location and context for the site for which the project is proposed. Standards created through the PUD overlay should also assist in the fulfillment of the goals, objectives, and policies in the General Plan. Approval of the standards is based on the site plan provided as part of the PUD.
2. All PUD districts shall otherwise adhere to the regulations established in this ordinance. Any PUD overlay zoning districts containing standards that do not adhere to [Chapter 106](#) or ~~signage standards found in Chapter 109~~ [Chapter 107](#) shall be identified at the time of PUD zoning approval and shall be set forth in the development plan.

ARTICLE X. USE SPECIFIC STANDARDS

Sec. 106-10.2. Accessory dwelling units (ADU).

- A. *Single-family residential uses* will be limited to only one (1) *accessory dwelling unit (ADU)* per lot of record in the RR, R-1 and R-2, SHD-RO, and TND-R *zoning districts*. ~~A site plan review shall be required.~~

- H. Development standards. **Table 106-10a** below identifies the dimensional standards required for an *ADU*.

Table 106-10a—Accessory Dwelling Units (ADU)					
	Max ADU Size ¹	Building Separation ²	Setback (Front Yard) ³	Setback (Side and/or Rear Yard)	Height
Detached ADU	50% of primary dwelling	5'	Not permitted	5'	9' ^{4,6}
Attached ADU ⁵	50% of primary dwelling	n/a	Same as zoning min. setbacks	Same as zoning min. setbacks	Same as zoning allowed height

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Table 106-10a—Accessory Dwelling Units (ADU)					
	Max ADU Size ¹	Building Separation ²	Setback (Front Yard) ³	Setback (Side and/or Rear Yard)	Height
<p>Notes:</p> <ol style="list-style-type: none"> 1. Calculated by the floor area of the first floor of the principal <i>building</i>. Maximum area of <i>ADU</i> shall not exceed 800 square feet if the primary <i>dwelling</i> exceeds 1,600 square feet. 2. May be increased as required by the <i>building</i> and/or fire codes. 3. The entrance to the <i>ADU</i> shall not face be visible from the <i>street</i>, except for entrances that do not have <i>access</i> from the ground level, such as entrances from balconies or decks. <i>Access</i> shall not create the appearance of a <i>two-family dwelling</i>. 4. The <i>height</i> of an <i>ADU structure</i> shall not exceed nine feet as measured at the five-foot <i>setback</i> line. The <i>height</i> of the <i>ADU structure</i> may increase at a ratio of one foot vertical for every one foot horizontal as measured relative to the property line to a maximum <i>height</i> equal to the <i>zoning district</i> (see Figures 106-10a and 106-b). 5. The <i>ADU</i> shall be connected to the primary <i>dwelling</i> by a common roof, covered passageway, or <i>common wall</i> without direct <i>access</i> to the primary <i>dwelling unit</i>. 6. On <i>lots</i> 30,000 square feet or greater each <i>ADU</i> has a maximum <i>height</i> equal to the <i>zoning district</i> when constructed within the <i>building envelope</i>. 					

Sec. 106-10.3. Accessory uses and structures.

- A. All residential *accessory uses* (including *ADUs*), *buildings*, *structures*, and fencing shall be located on the same *lot* as the principal or main *use* and be at least five (5) feet from **another structure** or as required by the *building* and/or fire codes, except that fencing *used* to separate properties in a subdivision may straddle the common property line. *Accessory structures* in residential districts shall not be located within any easement **or setback required by Table 106-10b – Accessory Structures**.
- J. Development standards. **Table 106-10b** below identifies the dimensional standards required for an *accessory structure*.

Table 106-10b—Accessory Structures					
	Max Accessory Structure Size	Building Separation ²	Setback (Front Yard)	Setback (Side and Rear Yard)	Height
Shade structures	400 sf	5'	Same as zoning min. setbacks	5'	9' ³
Other accessory structures	Total lot coverage prescribed by the subject zoning district ^{1, 4}	5'	Not allowed ⁷	5' ⁵	9' ^{3, 6}
<p>Notes:</p> <ol style="list-style-type: none"> 1. Calculated by the finished floor area of the first floor of the principal <i>building</i> and all other accessory structures. 2. May be increased as required by the <i>building</i> and/or fire codes. 3. The <i>height</i> of an <i>accessory structure</i> shall not exceed nine feet as measured at the five-foot <i>setback</i> line. The 					

height of the *accessory structure* may increase at a ratio of one foot vertical for every one foot horizontal as measured relative to the property line to a maximum *height* of 15 feet (see **Figures 106-10a** and **106-10b**).

4. Each *accessory structure* has a maximum area not to exceed 3,000 square feet regardless of lot coverage limits.
5. *Fences* used to separate properties in a subdivision may straddle the common property line.
6. On *lots* 30,000 square feet or greater each *accessory structure* has a maximum *height* equal to the *zoning district* when constructed within the *building envelope*.
7. In *RR zoning districts*, *accessory structures* are permitted in the *front yard* when constructed within the *building envelope*.

Sec. 106-10.5. - Agricultural operations and facilities.

- H. A *farm stand* may be permitted as an *accessory use* to *agricultural operations* for the purpose of selling produce or other products principally raised or produced on the premises. Exempt from the provisions in ~~Section 106-10.3~~ **Section 106-10.5**, the *farm stand* shall be located and constructed to meet the following requirements:

Sec. 106-10.8. Animal hospital, clinic, shelter, grooming, or boarding facilities.

- A. A report from a qualified acoustical and/or environmental engineer, either that there are no negative impacts on neighboring residential *uses* or that they can be mitigated through appropriate design may be required.
- B. The *building* construction methods shall incorporate soundproof barriers and be designed to properly eliminate odors, waste, and other contaminants to protect *adjacent* properties.
- C. Activities shall be located within a fully enclosed soundproof *building*. No outdoor boarding shall be permitted, except in the case of *animal hospital/clinics* that service large *agricultural animals*.
- D. Outdoor exercise areas may not be placed immediately *adjacent* to or within one hundred (100) feet of an *adjacent* residential *use* or residentially zoned property.

Sec. 106-10.9. Assisted living home.

- C. ~~A group home or an adult development home~~ **An assisted living home** shall not be permitted any *signage*, graphics, display, or other visual forms of identification, other than that permitted for a residential *dwelling*.

Sec. 106-10.13. Community gardens.

- K. If a *community garden* is no longer in operation or left fallow, for longer than one hundred eighty (180) days, the site shall be returned to its original form, unless otherwise developed in accordance with this ordinance. Any reestablishment of a *community garden* on the same site shall require processing and approval of a new ~~conditional use permit~~ **site plan**.

Sec. 106-10.29. Model home complex.

- I. Where *model* ~~home~~ **homes**-complexes consist of **more than** two (2) ~~or more than~~ homes, xeriscape landscaping techniques shall be *used* for a minimum of one-third (1/3) of the models.

Sec. 106-10.52. - Vehicle washing facilities (also known as car washes).

- A. *Vehicle washing facilities* may be self-serve or full-serve as a *primary* or an *accessory use* to *vehicle fueling stations* or *vehicle service* facilities.

- B. *Vehicle washing facilities* shall be subject to conditions (c)—(f), (h), (j)—(l), under *vehicle fueling stations* as outlined in ~~Section 106-10.47~~ **Sec. 106-10.48** above.

Chapter 107 DESIGN AND DEVELOPMENT REGULATIONS

ARTICLE II. LANDSCAPE AND SCREENING REGULATIONS

Sec. 107-2.1. Purpose and applicability.

- D. Any proposed *building*, *building additions*, or *use* of land that requires *site plan* review by the city shall also include, either on the *site plan* or on a separate sheet, information on the required landscaping designed in compliance with the PEDS and, if applicable, the subdivision regulations. The landscape plan shall be prepared by a state registered landscape architect, a state certified nurseryman, or other qualified professional. The landscape plans shall be submitted at the time of application for *rezoning*, *use permit*, *platting*, or at the time of *building permit* if none of the above applications are required. ~~Specific plan submittal requirements are outlined in the PEDS, volume 1, appendix D.~~

Sec. 107-2.3. General landscaping standards.

A. Tree specifications and standards.

1. The required trees in the article are listed in "box size" as the industry standard when identified on landscape plans. All trees materials at the time of planting shall have a specified in the "Container Grown Tree Guide," published by the Arizona Nursery Association (ANA). A copy of the latest edition of the specification list will be maintained by the city.

ARTICLE IV. PARKING AND LOADING REGULATIONS

Sec. 107-4.1. Purpose and applicability.

- C. The community development director or designee shall determine the parking and loading requirements for *uses* that do not correspond to the categories listed in **Table 107-4b** and ~~Table 107-4d~~ **107-4c**. In such instances, the *applicant* shall provide adequate information by which the proposal can be reviewed, which includes but may not necessarily be limited to the following:
1. Type of *uses*.
 2. Number of employees.
 3. *Building* design including square footage of public areas, *sales areas*, *display area*, service area, restricted areas, and *ancillary* outdoor spaces.
 4. *Parking spaces* proposed on site.
 5. *Parking spaces* provided elsewhere.
 6. Hours of operation.

Sec. 107-4.2. General provisions.

- C. With the exception of a *shared parking* agreement pursuant to **Section 107-4.8**, *off-street parking* facilities shall be located on the same *lot* as the *use* they are intended to serve.

Sec. 107-4.4. Multi-family, mixed use, and non-residential use provisions.

- A. The minimum number of required *off-street parking spaces*, as outlined in **Table 107-4d 107-4c**, may be reduced by the number of *on-street parking spaces abutting* the property lines of the *lot* or *parcel*.

Sec. 107-4.8. Shared parking and loading.

- C. *Recorded plats* shall convey, within the dedication statement, agreement to *shared parking* and *ingress and egress* as follows:
1. "Owner hereby grants to the ultimate *owner* of each *parcel* created by this *plat* an easement over, upon and across the entire *plat* for the purpose of providing continuous and uninterrupted *ingress and egress* and parking to each *parcel* created by this *plat*".
- D. *Commerce centers* that contain *uses* designed around common circulation, parking, and pedestrian connectivity may replace the quantity of required parking in **Section 107-4.9** according to **Table 107-4b**.

Table 107-4b Commerce Center Parking Standards		
Zoning	Min. Spaces per Non-Residential GFA (Square Feet)	Min. Spaces per Dwelling Unit (DU)
C-O C-O and C-1	1 per 400	
MU-1, MU-2, TND-MU	1 per 500	1.5
C-2, TND-C, SHD-CO	1 per 200	1
C-3	1 per 500	
I-1 and I-2	1 per 1,000	

Sec. 107-4.9. Minimum off-street parking requirements.

- B. The community development director or designee will determine if *uses* are significantly similar or dissimilar to particular *uses* not expressly listed in **Table 107-4c**. The parking requirement for *uses* that are significantly dissimilar to *uses* listed in **Table 107-4c** shall be determined by the community development director or designee. In such instances, the *applicant* will provide adequate information by which the proposal can be reviewed, which includes but not limited to the following:
1. Type of *use(s)*.
 2. Number of employees.
 3. *Building* design capacity.
 4. Square feet of *sales areas* and service area.
 5. *Parking spaces* proposed on site.
 6. *Parking spaces* provided elsewhere.

Table 107-4c—Parking Standards	
Uses	Min. Off-Street Parking Spaces

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Residential	
Assisted living center (more than 10 residents)	0.5 per sleeping room
Assisted living home (10 or less residents)	2 per dwelling unit plus 0.5 per sleeping room
Dormitory	0.5 per sleeping room
Dwelling, live/work	2 per DU
Dwelling, multi-family (4 or more)	Studio-1B=1/unit, 2+B=2.0/unit plus 1 per 250 sf of office and community facility uses 0.2 spaces per DU dedicated to visitor parking
Dwelling, single-family	2 per DU
Dwelling, two-family (duplex)	2 per DU
Dwelling, three-family (triplex)	2 per DU
Group home	Same as residence dwelling

Chapter 108 LAND DIVISION AND SUBDIVISION REGULATIONS

ARTICLE I. GENERAL PROCESS AND OVERVIEW

Sec. 108-1.4. Minor land division, lot line adjustment, or parcel assemblage.

- A. The provisions of a *minor land division* will only apply to *original lots*.
- B. The community development director or designee will determine the specific *final plat* submittal requirements necessary for appropriate review of the *minor land division, lot line adjustment* or *parcel assemblage* at the time of the concept review meeting.
- C. If the community development director or designee in concurrence with the city engineer finds that the proposed *minor land division, lot line adjustment, or parcel assemblage* meets all of the requirements of the LDO and the PEDS, the *final plat* will be approved and the director and city engineer will date and sign the approval block on the *final plat*.
- D. After approval, city will record the *final plat* and the *applicant* will pay to the city the fee charged by the county recorder.
- E. An *applicant* aggrieved by the decision of the community development director may file for an appeal of the decision to the board of adjustment.

Sec. 108-1.5. Subdivisions.

- D. Final plat overview.
 2. The *applicant* shall provide the city with all information, outlined by the community development director or designee in conjunction with the *final plat* concept review meeting and consistent with

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information outlined in **Article III** herein, essential for review of the improvement plans and *final plat*.

Sec. 108-1.7. - Abandonment of recorded subdivision.

- A. Pursuant to provisions of Title 28, Chapter 14, Article 1, Subsections 28-1901 through 28-1908, A.R.S., Pursuant to the provisions of Title 28, Chapter 20, Article 8 of the Arizona Revised Statutes, as may be amended or renumbered from time to time, the abandonment of all or part of a recorded subdivision may be initiated by written petition to the council, said petition to be signed by all *owners* of real property in said subdivision requesting abandonment of all *streets, alleys* and easements within said subdivision and giving the legal description and recording information thereof.

ARTICLE II. REPORTS, PLANS, AND DESIGN STANDARDS

Sec. 108-2.3. Specific plan(s) required.

- B. A preliminary landscape and *open space* plan shall be submitted as part of the *preliminary plat* application, as required in **Article II** herein, and a final landscape and *open space* plan shall be submitted as part of the *final plat/improvement* plan submittal package. ~~The format and information required for both submittals can be found in volume 1, appendix D of the PEDS.~~

Sec. 108-2.4. - Circulation design standards.

- B. General design.
8. Installation of streetlights shall be in accordance with ~~design and specification standards detailed in Chapter 107, Article III of the LDO.~~ the Surprise Street Light Design Guidelines of the Engineering Development Standards (EDS) Manual.
- C. Types of *streets*.
4. Private streets. *Private streets* shall not be permitted, except within gated communities.
- c. A statement shall be required on the face of any *plat* having an approved *private street(s)* that the *private street(s)* shall be maintained to city standards by the *developer* or an authorized ~~homeowner; if~~ homeowner's association at said *developer* or association's expense.
- D. Block planning.
1. A *block* shall have a length ranging from four hundred (400) feet to no more than one thousand three hundred twenty (1,320) feet in length; unless otherwise restricted by the PEDS or deviated by the council when considered necessary for safety reasons or in order to secure efficient *use* of the land.
- a. A residential neighborhood *block* within a subdivision shall have a length ranging from four hundred (400) to eight hundred (800) feet as measured along the centerline of the *street* and between intersecting *street* centerlines; and
- b. Be designed to accommodate no more than ten (10) *single-family* residential *lots* on either side of a *local street* to equal a not-to-exceed combined total of twenty (20) *single-family, detached* residential *lots* per *block*.

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- c. A longer perimeter *block* may be approved by the city engineer and council when *adjacent* to a major *street* in order to reduce the number of intersections.
2. *Blocks* which are over six hundred (600) feet in length shall provide a landscaped pedestrian easement, not less than thirty (30) feet wide, *mid-block* to allow easier *access* to the subdivision *open space*, the community pedestrian circulation system, or direct pedestrian *access* to the exterior *arterial streets*.
3. *Block* endcap landscape tracts shall be required; unless an acceptable alternative design is proposed. Endcap landscape tracts shall be a minimum of ten (10) feet wide when *adjacent* to *local streets* and fifteen (15) feet wide *adjacent* to collector and arterial roads. These tracts shall be landscaped in accordance with [Chapter 107](#) and shall be maintained by the *adjacent* property owner and/or homeowner; ~~is; association.~~ homeowner's association.

Sec. 108-2.5. - Lot planning.

- D. Lot dimensions.
 6. Residential *lots* that are less than fifty (50) feet wide ~~shall~~ are encouraged to have vehicular access from an *alley*.

Sec. 108-2.6. Stormwater drainage and environmental water features.

- D. The required drainage report (per ~~subsection 108-4.2A~~ 108-2.2) must address the effect of the proposed subdivision on existing upstream and downstream drainage facilities outside the area of the land division. No land division shall be approved unless adequate drainage will be provided to an adequate drainage watercourse or facility. The city engineer will determine the adequacy of the drainage facilities for purposes of council review, but such determination will not relieve the property *owner* from any responsibility related to stormwater or drainage; such responsibility shall remain that of the property *owner*.

Sec. 108-2.9. Public utilities.

- E. When as a result of the subdivision development, it is necessary to relocate, renew, or expand existing facilities within or *adjacent* to the *platted* area, the *developer* shall make the necessary arrangements with the serving utility for these installations to be placed underground at the time of development of the property as part of the required *off-site* and on-site improvements. The *developer* shall be responsible for the costs of the underground construction, in accordance with the underground policy of the city and the serving utility. ~~Check wording on the interpretation of burying distribution line versus transmission line. Check the underground policy.~~

Chapter 109 – SIGNS

ARTICLE I. - IN GENERAL; PROCESS AND OVERVIEW

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Sec. 109-1.6. - Glossary of terms.

Lawful temporary event. A use of land that is permitted by and in accordance with ~~Section 106-10.42~~ **Section 106-10.43** of this Code. For purposes of this chapter, the following uses are also considered lawful temporary events: real estate open houses occurring within lands zoned for residential uses; and, religious institutions where religious services or religious events are held on lands zoned for residential uses, but where the primary use established for said land is that of a public school, private school, or charter school, or other community facility, or public meeting hall.