

WHEN RECORDED RETURN TO:

City of Buckeye
ATTN: City Clerk, Lucinda J. Aja
530 East Monroe Avenue
Buckeye, Arizona 85326

ORDINANCE NO. 12-16

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF BUCKEYE, ARIZONA, AMENDING THE CITY OF BUCKEYE CODE, CHAPTER 7, (DEVELOPMENT CODE), ARTICLE II (ZONING DISTRICTS), RELATING TO THE CREATION OF AN EMPLOYMENT OVERLAY ZONING DISTRICT, BOUNDED BY SOUTHERN AVENUE, APACHE ROAD, RAINBOW ROAD AND THE UNION PACIFIC RAIL ROAD.

WHEREAS, the Mayor and City Council of the City of Buckeye desire to amend the City Code, Chapter 7 (Development Code), Article II (Zoning Districts), and to create an employment overlay zoning district to foster employment and economic development opportunities in the City of Buckeye; and

WHEREAS, public hearings have been conducted to obtain citizen input on the proposed amendment to the Development Code to create an employment overlay zoning district; and

WHEREAS, the Planning and Zoning Commission of the City of Buckeye has reviewed the proposed amendment to the Development Code to create the employment overlay zoning district and has recommended approval of the same.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BUCKEYE, ARIZONA, as follows:

Section 1. That Buckeye City Code, Chapter 7 (Development Code), Article II (Zoning Districts) is hereby amended by adding a new employment overlay zoning district, in the form attached to the City Council Action Report relating to this matter, on file with the City Clerk of the City of Buckeye, and incorporating said amendment herein by reference.

Section 2. The Mayor, the City Manager, the City Clerk and the City Attorney are hereby authorized and directed to take all steps and to execute all documents necessary to carry out the purpose and intent of this Ordinance

PASSED AND ADOPTED by the Mayor and City Council of the City of Buckeye, Arizona, this 7th day of June, 2016.

Jackie A. Meck, Mayor

ATTEST:

Lucinda J. Aja, City Clerk

APPROVED AS TO FORM:

Scott W. Ruby, City Attorney

2.7. OVERLAY DISTRICTS

2.7.3. Apache–Rainbow Employment Overlay District (AREOD)

A. Purpose

The Apache–Rainbow Employment Overlay District is established to enhance economic opportunities, streamline review and approval procedures, and provide an alternative to conventional industrial development standards within the overlay area. It is the intent of these provisions to provide context-sensitive, design flexibility and enhance land use compatibility between industrial–employment based uses and adjacent existing and future residential neighborhoods.

B. Boundaries

The boundaries of the Buckeye Employment Overlay District are established as shown on Figure 2.7–A generally bounded by Southern Avenue, Apache Road, The Union Pacific Rail Road and Rainbow Road.

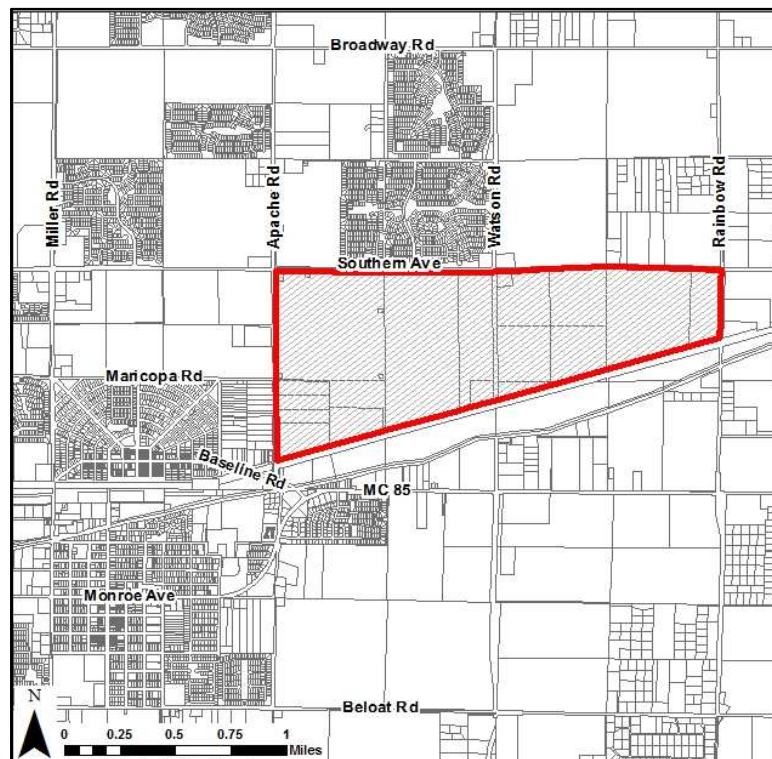


Figure 2.7–A: Apache–Rainbow Employment Overlay District

C. General Regulations

1. General Applicability

Unless otherwise specifically identified in this section, all guidelines and standards of Development Code shall apply to all development within the district.

2. Governmental Exemption

Section 1.5.3 shall not apply. Development by any municipal, county, state, or federal government agency within the district boundaries shall not be subject to the provisions of the Development Code.

3. Building Design Standards

a. Architectural Character

Large-scale industrial process often require specialized building designs which accommodate long-run assembly, manufacturing, research and other industrial methods. The standards and guidelines of sections 5.8.2.B., 5.8.3.B., 5.8.3.D., and 5.8.3.E.2.a may impact these operations and shall not apply to industrial or manufacturing uses in buildings over 50,000 square feet within the district. However, designs which incorporate these standards and guidelines are encouraged.

b. Preferred Wall Materials

Section 5.8.3.F. shall not apply. The following materials are preferred for use on exterior building walls, individually or in combination:

- (i) Brick;
- (ii) Stone (natural or simulated);
- (iii) Painted, stained, or integrally-colored concrete masonry units (CMU), split face or ground face;
- (iv) Tilt-up concrete panels, with or without reveals;
- (v) Stucco;
- (vi) Exterior Insulation and Finish Systems (EIFS);
- (vii) Clear and tinted glass;

- (viii) Tile;
- (ix) Wood; and
- (x) Architectural metal;

Other materials may be used provided they are of comparable quality, durability, and character, as determined by the Director.

c. Alternative Wall Materials

The following materials are additional alternative permitted wall materials for buildings which exceed 50,000 square feet and contain industrial/manufacturing uses. They may be used individually or in combination with any material listed in section 2.7.3.C.3.b.

- (i) Pre-fabricated Metal Panels; and
- (ii) Corrugated or rolled Metal

4. Landscaping

a. Site Perimeter Landscaping

Section 5.4.3.B shall not apply. A minimum landscape buffer of up to 150 feet of the required setback shall be provided along all arterial streets from the edge of the right-of-way.

- (i) Under all circumstances, a 50-foot minimum landscaping buffer shall be provided adjacent to Watson Road right-of-way.
- (ii) Except for the buffer adjacent to Watson Road, this buffer may be reduced to 20-feet if buildings which abut the landscape buffer are composed of the Preferred Wall Materials listed in 2.7.3.C.
- (iii) If the 150-foot buffer is required, outdoor storage and parking may encroach into the site perimeter landscaping buffer 75-feet provided that a minimum 6-ft tall architectural screen wall is located between the outdoor storage and/or parking and the adjacent right-of-way line. In no case shall the materials or

equipment stored as outdoor storage or parking exceed the height of the screen wall.

- (iv) This site perimeter landscaping shall count towards the Site Enhancement Landscaping required by section 5.4.3.A.
- (v) Drainage facilities may be located within the site perimeter landscaping buffer.

b. Building Foundation Plantings

Section 5.4.3.D shall not apply. All development shall provide a minimum of one shrub for each eight lineal feet of building facade along all building facades that are adjacent to or facing public streets or parking areas. Four (4) shrubs can be replaced with one tree. Plant may be placed in-ground within 15 feet of the building façade. As an alternative, required plantings may be placed in adjacent yards to aid in screening.

c. Entryways (Landscaping)

Section 5.4.3.E shall not apply.

5. Fencing, Walls, and Screening

a. Section 5.4.5 shall not apply.

b. Fences and Walls

(i) Height

No fence or wall located between the principal structure and street-side and front property lines shall exceed six feet in height; additional height of up to 2-feet may be granted for retaining walls, sites with elevated foundations or to enhance screening of outdoor storage. No fence or wall located between the principal structure and the rear or side property line shall exceed eight feet in height. Columns, pilasters and other narrow features are allowed to exceed the maximum fence height by eight (8) inches for no more than 2-feet of run.

(ii) Articulation

Walls and fences shall be articulated to avoid continuous, unbroken expanses. No wall or fence facing an arterial or highway may extend continuously, without articulation, for more than 200 feet, or 100 feet for walls or fences facing any other type of Public Street. Fences or walls may be articulated using any combination of the following:

- (1) Changes in material or texture, including the use of view walls that allow for views into the site;
- (2) Offsets (projections or recessions of at least 2–feet);
- (3) Columns, pilasters or other vertical changes at regular intervals;
- (4) Landscape pockets and/or runs of landscaping along fence lines; or
- (5) Similar features as approved.

(iii) Wall and Fence Materials

Walls and fences shall be constructed with any combination of the following materials:

- (1) Integrally-colored, split-face, or ground-face concrete masonry units (CMU);
- (2) Concrete masonry units that have been painted, stuccoed, or faced with another permitted material;
- (3) Stone (natural or simulated);
- (4) Brick;
- (5) Wrought-iron or other decorative metal;
- (6) Chain-link fencing (industrial/manufacturing uses only)

(iv) Wall and Fence Placement

No walls or fences may be placed within the public right-of-way.

- c. Screening of Refuse Collection and Mechanicals**
 - (i) Solid waste collection areas and ground-level mechanical equipment shall be screened from the view of a person standing on the property line on the far side of an adjacent public street.
 - (ii) Individual screening of rooftop mechanical equipment is prohibited. Best efforts shall be taken so that rooftop units are either grouped together and screened “penthouse style” or screened with a parapet wall the entire length of the building. Such screening shall be designed consistent with the architecture of the building and parapet wall shall be designed to be integral to the overall architecture of the building.
- d. Screening of Services and Impact Mitigation**

Loading docks, truck parking, outdoor storage, trash collection, trash compaction, and other service functions shall be incorporated into the overall design of the building and landscaping so that the acoustic impacts of these functions are contained to the maximum extent feasible, and so that such features are fully screened and out of view from public streets. Use screening materials for solid waste collection and loading areas that are the same and of equal quality to the materials used for the primary building and landscaping.
- e. Screening of Utilities**

All site utilities shall be located underground, including but not limited to electric lines less than 69kV, telephone, cable, water, and sewer systems, per applicable utility requirements and specifications. Where feasible, locate above-ground utility facilities, such as utility cabinets and meters, in areas that do not conflict with site circulation or visibility areas. Screen these facilities with dense landscaping or decorative walls and/or integrate into the building design as appropriate.

D. General Procedures

1. General Applicability

Unless otherwise specifically identified in this section, all procedures of Article 8, Review and Approval Procedures shall apply to all development within the district.

2. Review Procedures and Criteria

a. Site Plan, Landscaping and Building Design Review Procedures

Section 8.9 shall not apply. A conceptual site plan, landscape plan and building elevations shall be submitted for administrative review and approval by the Development Services Director or their designee.

Neighborhood notification shall be mailed to all adjacent property owners within 300-feet of the project site prior to approval. Site plan, landscaping plan, and building design approval constitutes authorization for submittal of final construction and civil improvement plans and reports.

b. Approval Criteria

- (i) The site plan is consistent with the General Plan;
- (ii) The site plan is consistent with any previously approved subdivision plat, planned development, or any other precedent plan or land use approval as applicable;
- (iii) The site plan complies with all applicable development and design standards set forth in this Development Code; and
- (iv) The development proposed in the plan and its general location is or will be compatible with the character of surrounding land uses.

3. Opt-out

Property owners who wish not to utilize the customized standards, guidelines and procedures of this district shall opt-out within three (3) years of the date of adoption of this code (ORD 12-16, June 7, 2016). Such request shall be sent to the attention of the Development Services Director and be made in writing. It shall include the parcel address(es), APN of the parcel(s), owner name, owner address, and owner's signature.