



CITY OF SURPRISE
Regular City Council Work Session
16000 N. Civic Center Plaza
Surprise, AZ 85374
Monday, November 2, 2020 @ 4:00 PM
COUNCIL CHAMBERS

- A. Call To Order
- B. Roll Call
- C. Pledge of Allegiance
- D. Proclamation and Community Acknowledgements
- E. City Manager Report
- F. City Clerk Report
- G. Call To The Public

NOTICE: In an effort to protect health and safety of city employees, residents, and visitors, the Council Chambers will be partially open to the public with limited seating. The public may access the meeting by viewing a live stream or broadcast of the meeting. To watch live, please visit www.surpriseaz.gov/surprisetv, the Surprise City Gov Facebook page at www.facebook.com/cityofsurprise. Cox channel 11 and Century Link channel 8513 will also carry the meeting live. For instructions on how to comment on agenda items and public hearings, please go to <https://bit.ly/3k2NIV1>

H. Regular City Council Work Session Agenda

CONSENT AGENDA:

REGULAR AGENDA ITEM - PUBLIC HEARING:

REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

- | | | | |
|----|--|--|---|
| 1. | District 4 | Presentation and discussion pertaining to the design review and permitting activity within the Surprise Heritage District. | None

Lloyd Abrams
Community
Development |
| 2. | Citywide | Presentation and discussion pertaining to proposed updates to the Land Development Ordinances. | None

Joshua Mike
Community
Development |
| 3. | Internal | Presentation and discussion pertaining to the conversion from Uniform Crime Reporting (UCR) Summary to the National Incident Based Reporting System (NIBRS) Summary. | Geoffrey Leggett
Police |
| 4. | Citywide | Presentation and discussion pertaining to the upcoming budget amendment to transfer budget dollars associated with the Police Training Center Project P31020 to the Public Safety Evidence Readiness Center (PSERC) project budget P31030. | None

Jeff Martin
Kristin Tytler
Public Works |
| I. | Other Business and Future Agenda Items | | |

J. City Council Reports

K. Executive Session

For information Purposes; Upon a public majority vote of a quorum of the City Council, the Council may hold an executive session, which will not be open to the public, but for only the following purposes:

- discussion or consideration of personnel matters (A.R.S. §38-431.03 (A)(1));
- discussion or consideration of records exempt by law from public inspection (A.R.S. §38-401.03 (A)(2));

L. Adjournment

SHERRY ANN AGUILAR, CITY CLERK, MMC

POSTED: Thursday, October 29, 2020 @ 12:15 p.m.

SPECIAL NOTE: PERSONS WITH SPECIAL ACCESSIBILITY NEEDS, INCLUDING LARGE PRINT MATERIALS OR INTERPRETER, SHOULD CONTACT THE CITY CLERK'S OFFICE @ 623.222.1200 OR TTY 623.222.1002, BY NO LATER THAN 24 HOURS IN ADVANCE OF THE REGULAR SCHEDULED MEETING TIME.



CITY OF SURPRISE Regular City Council Work Session

Council Meeting Date: November 2, 2020 Contact Person: Lloyd Abrams
Submitting Department: Community Development District: District 4
Staff Recommendations: None

Consent: No Regular: Yes Public Hearing: No Report/Discussion: No

Agenda Wording:

Presentation and discussion pertaining to the design review and permitting activity within the Surprise Heritage District.

Motion:

Presentation and discussion only.

Background:

Since the adoption of the Surprise Heritage District Overlay for the Original Town Site in 2016, the City has experienced a notable increase in construction activity for the area. The City's intent when adopting the Surprise Heritage Zoning District was to aid in revitalization of the Original Town Site while preserving historical character in the area.

Objective Analysis:

The Community Development Department periodically provide updates to Mayor and Council on the status of development projects and construction activity within the City.

Policy Compliant:

The Surprise Heritage District Overlay is in compliance with the SUDC.

Financial Impact:

There is no anticipated financial impact related to this item.

Budget Impact:

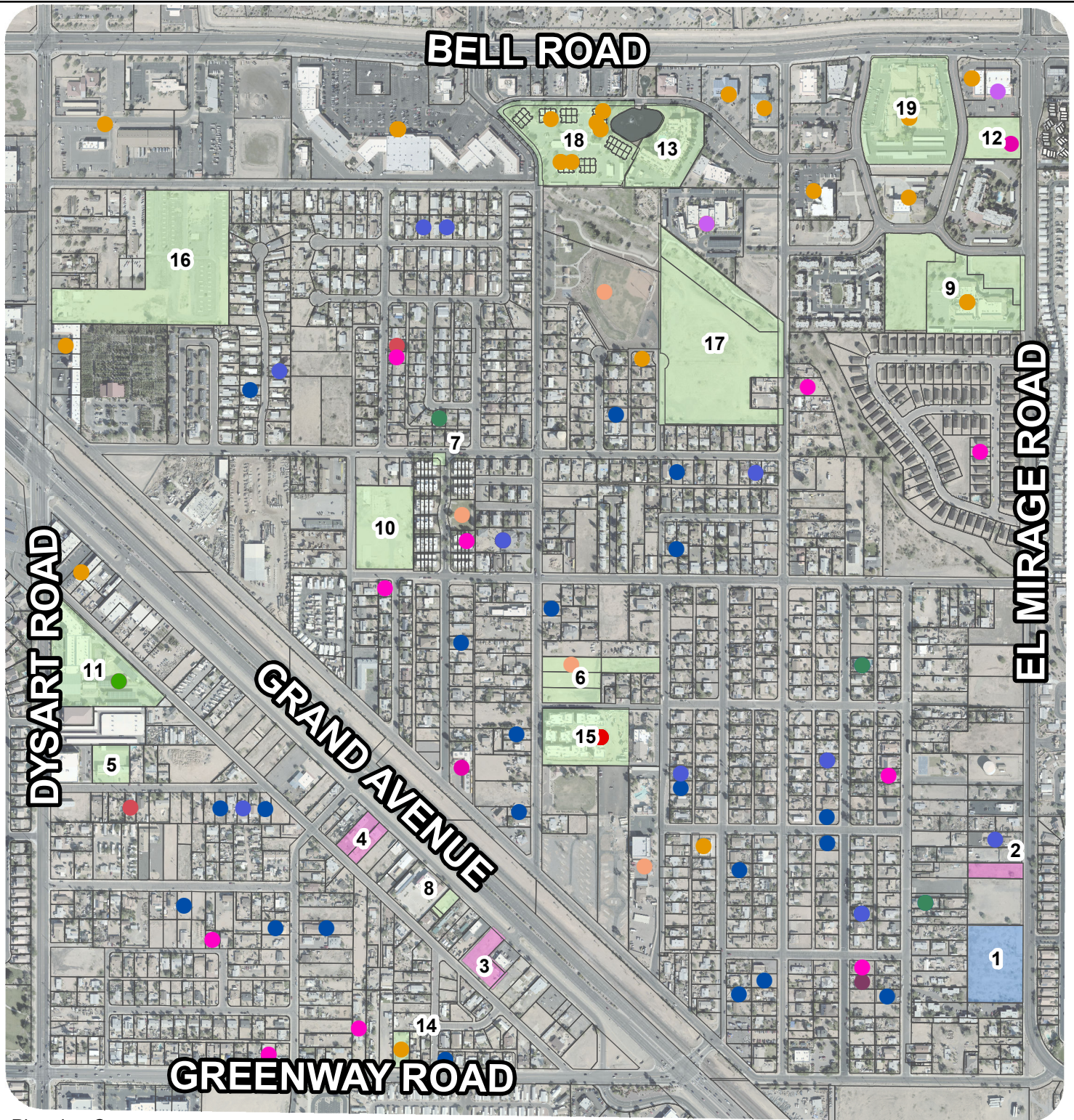
There is no anticipated budget impact related to this item.

FTE Impact:

This item does not have an impact on current staff levels.

ATTACHMENTS:

1. SHD Map (FY18 - FY20)
 2. SHD Update Staff Report 11-02-2020
 3. 11-2-2020 CC Work Session
-



Planning Cases

ID	NAME	STATUS
1	VILLAS AT VESTA VIEW	Waiting for Concept Meeting
2	BRISENOS AZTECA IMPORTS	Waiting for Formal Submittal
3	SHAUGHNESSY OFFICE BUILDING	Waiting for Formal Submittal
4	DENNIS ARISMEDEZ	Waiting for Formal Submittal
5	SURPRISE DESIGN CENTER IN SOUTH OTS	SUBMITTED
6	GAINES PARK YOUTH BASEBALL FIELD CIP G51350	SUBMITTED
7	AT&T WIRELESS 3 SITES FOR FWF LOCATIONS	SUBMITTED
8	CARDINAL HEATING & COOLING	SUBMITTED
9	BOLA DRIVE PLAZA	SUBMITTED
10	DESERT BLOOM TOWNHOMES	SUBMITTED
11	ARIZONA CHARTER ACADEMY	APPROVED
12	PLATINUM STORAGE FACILITY	APPROVED
13	WINDMILL SUITES	APPROVED
14	SCISSORS AND RAZORS	APPROVED
15	HERITAGE AT SURPRISE	APPROVED
16	HERITAGE ON DYSART	APPROVED
17	SUNNYSIDE VILLAGE APARTMENTS	APPROVED
18	CROSSROADS LAKES PROFESSIONAL OFFICES CONDOMINIUM	APPROVED
19	TECHCELERATOR PARKING LOT DESIGN	APPROVED

Planning Cases Types

- Concept Meeting
- Due Diligence Meeting
- Formal Submittal

Permit Type

Commercial

- CHARTER SCHOOL
- TENANT IMPROVEMENT
- CM CARPORT
- CM UNCLASSIFIED
- MISC COMMERCIAL

Residential

- SINGLE FAMILY
- MULTI - FAMILY
- ALTERATION -RESIDENTIAL
- ROOM ADDITION
- PATIO COVER
- RD GARAGE/CARPORT
- RD POOL/SPA



Surprise Heritage District

REPORT TO MAYOR AND CITY COUNCIL

Topic of Discussion: Design review projects and permitting activity within the Surprise Heritage District.

Meeting Date: November 2, 2020

Presenter: Lloyd Abrams, Assistant Director of Community Development

Discussion:

Since the adoption of the Surprise Heritage District Overlay for the Original Town Site in 2016, the City has experienced a notable increase in construction activity for the area. The City's intent when adopting the Surprise Heritage Zoning District was to aid in revitalization of the Original Town Site while preserving historical character in the area. A map exhibit has been created which provides a three year snap shot from the start of Fiscal Year 2018 through the end of Fiscal Year 2020 as it pertains to design review projects and permitting activity within the Surprise Heritage District.

During the last three fiscal years referenced for this review (FY18 through FY20), applications were received for 24 new single family home permits, 16 of which have been completed. During this time there was one multi-family home complex completed within the area which resulted in the addition of 100 new units, and four (4) design review cases were received which proposed an additional multi-family home complex of 290 units. With regard to Commercial activity, the City issued 38 tenant improvement permits, one (1) new mixed use commercial building, with submittals received for three (2) proposed commercial projects.

As part of the development incentives adopted for the area, the Infill Incentive payments the City of Surprise issued for the Old Town site from FY18 to FY20 totaled approximately \$484,000.

Summary:

Staff wishes to provide a detailed overview of the design review projects and associated permitting activity within the Surprise Heritage District over the course of the last 3 fiscal years, for the purpose of providing Mayor and Council with an update and visual perspective as it pertains to the Surprise Heritage District Overlay in the Original Town Site.

Attachments:

1. Staff Report
2. SHD Map
3. Presentation



Original Town Site - Heritage District Design Review and Permitting Activity Update

City Council Work Session
November 2, 2020

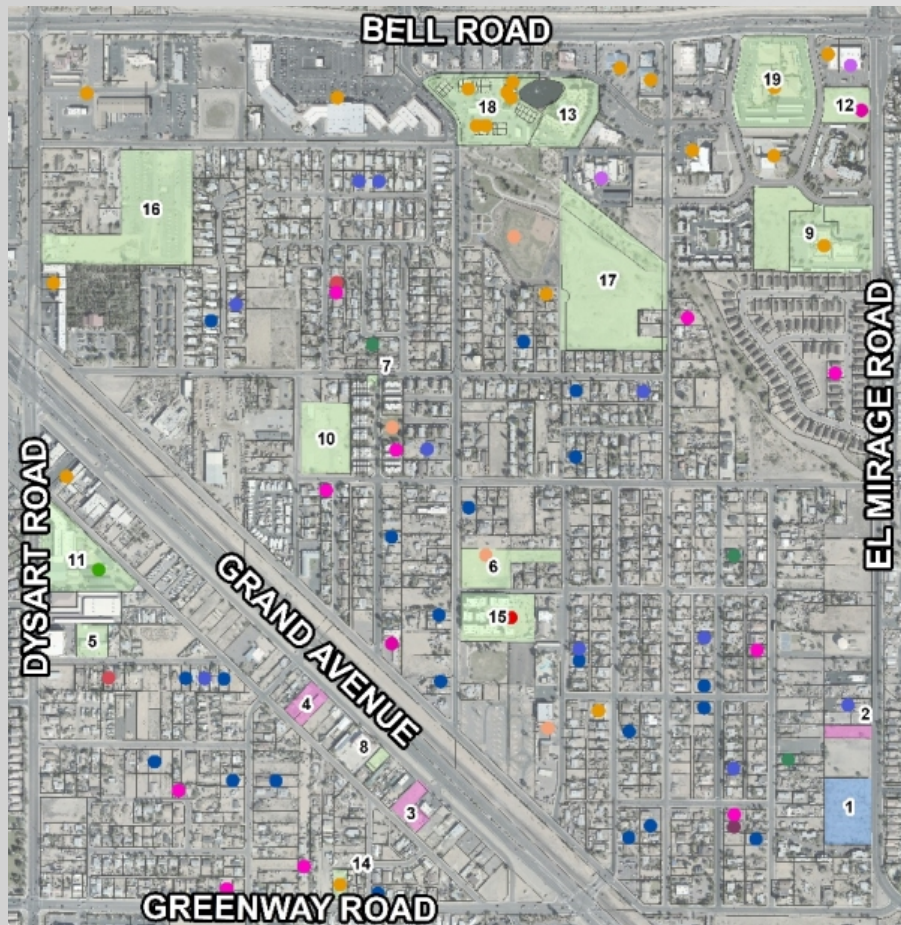
Permit Statistics FY2018-2020

	Applied	Issued	Completed
New Single Family Homes	24	23	16
Multi-Family Homes	6	6	6
Commercial Tenant Improvements	38	34	28

Original Town Site Incentives Total: \$483,892.20

Design Review Projects Statistics FY2018-2020

	Applied	Approved
Commercial Projects	3	1
Residential – Multi-Family Projects	4	3
Other	3	3



Planning Cases Types

- Concept Meeting
- Due Diligence Meeting
- Formal Submittal

Planning Cases

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5	SURPRISE DESIGN CENTER IN SOUTH OTS	SUBMITTED
6	GAINES PARK YOUTH BASEBALL FIELD CIP GS1350	SUBMITTED
7	AT&T WIRELESS 3 SITES FOR FWF LOCATIONS	SUBMITTED
8	CARDINAL HEATING & COOLING	SUBMITTED
9	BOLA DRIVE PLAZA	SUBMITTED
10	DESERT BLOOM TOWNHOMES	SUBMITTED
11	ARIZONA CHARTER ACADEMY	APPROVED
12	PLATINUM STORAGE FACILITY	APPROVED
13	WINDMILL SUITES	APPROVED
14	SCISSORS AND RAZORS	APPROVED
15	HERITAGE AT SURPRISE	APPROVED
16	HERITAGE ON DYSART	APPROVED
17	SUNNYSIDE VILLAGE APARTMENTS	APPROVED
18	CROSSROADS LAKES PROFESSIONAL OFFICES CONDOMINIUM	APPROVED
19	TECHCELERATOR PARKING LOT DESIGN	APPROVED

Permit Type

Commercial

- CHARTER SCHOOL
- TENANT IMPROVEMENT
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- SINGLE FAMILY
- MULTI - FAMILY
- ALTERATION -RESIDENTIAL
- ROOM ADDITION
- PATIO COVER
- RD GARAGE/CARPORT
- RD POOL/SPA

Custom Single Family Homes



Multi-Family Complex



Heritage at Surprise





QUESTIONS OR COMMENTS?

Thank You



CITY OF SURPRISE Regular City Council Work Session

Council Meeting Date: November 2, 2020 Contact Person: Joshua Mike
Submitting Department: Community Development District: Citywide
Staff Recommendations: None

Consent: No Regular: Yes Public Hearing: No Report/Discussion: No

Agenda Wording:

Presentation and discussion pertaining to proposed updates to the Land Development Ordinances.

Motion:

Presentation and discussion only.

Background:

Staff has prepared changes to the Land Development Ordinances that will implement the General Plan 2035. This code update has included across-the-board teamwork from all disciplines of the development community; home builders, architects, engineers, landscape architects, planners, etc. Since April 2020, after the stay-at-home order was put in place, staff continued to revise the drafts based on those meetings and other feedback such as phone calls and emailed suggestions. The newest draft is a comprehensive version, incorporating revisions that attempt to follow the direction set by City leaders and address the needs of developers in the City. This presentation will include feedback from the industry regarding provisions for land uses and parking requirements.

Objective Analysis:

The Land Development Ordinances (LDO) and Planning and Engineering Design Standards (PEDS) will incorporate changes to the whole development code, replacing the current SUDC, clarifying the standards for site, open space, and general development regulations.

Policy Compliant:

This development code update will implement the General Plan 2035.

Financial Impact:

While this item does not have an immediate or direct financial impact, ongoing development activity in the City will inevitably have a future financial impact as additional resources are needed to provide city services.

Budget Impact:

There is no anticipated budget impact related to this item.

FTE Impact:

This item does not have an impact on current staff levels.

ATTACHMENTS:

1. 00 FS18-296 LDO Code Update Memo-11.2.2020
 2. 01 FS18-296 Overview Comparison SUDCvLDO
 3. 02 FS18-296 LDO Land Use Matrix Comparison
 4. 03 FS18-296 LDO Use Specific Standards
 5. 04 Code Update Presentation 11.2.2020
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Case:	FS18-296
Project Name:	Land Development Ordinances Update – Land Uses and Parking
Council Districts:	Citywide
Meeting Date:	November 2, 2020
Planner:	Joshua Mike
Attachments:	Overview Comparison SUDC vs LDO
	LDO Land Use Matrix Comparison
	LDO Use Specific Standards

Introduction:

This memo presents the provisions in the Land Development Ordinances (LDO) as it relates to the permitted land uses and Use Specific Standards compared to the Surprise Unified Development Code (SUDC). It will also show the draft language presented to stakeholders. Direction from the Planning and Zoning Commission and City Council will help finalize standards in the next public draft of the LDO.

The topics below relate to discussions about converting zoning districts from the SUDC to the LDO and the allowed uses. The attachments show an overview of the changes in permitted land uses, dwelling unit ratios, setbacks, height limits and open spaces, as well as a supplemental table comparing the land use matrix between the SUDC and the LDO.

Conditional Use Permits (CUP)

Conditional Use Permits (CUP) are required for certain land uses that may be incompatible with the other uses permitted by right in a zoning district. It is an individual review of design and configuration in order to ensure the appropriateness of the use at a particular location within a given zoning district based on the following criteria:

- Location and character of the use shall not burden or conflict with the established uses of the surrounding area;
- The proposed use shall not impair the integrity or character of the community nor shall it be detrimental to the public health, safety, or general welfare of the city;
- The proposed use shall conform to the goals and policies of the General Plan and any specific district or plans for the area;
- The proposed use shall conform to any applicable Use Specific Standards
- The proposed use shall conform to the development standards of the zoning district and shall take into account the following factors:
 - Site and building design;
 - Sensitivity to existing natural features;
 - Volume or character of traffic;
 - Circulation patterns;

- Connectivity;
- Parking and loading;
- Screening and buffering of uses;
- Landscaping;
- Exterior lighting;
- Signage;
- Storm water retention and drainage;
- Damage or nuisance arising from noise, smoke, odor, dust, vibration, or illumination;
- A demonstrated need for such use.
- Necessary facilities and utilities will not overburden municipal services.

The burden of proof for satisfying the CUP requirements shall rest with the applicant. The approval or denial of a CUP is an administrative decision with the final approval authority lying with the Surprise Planning and Zoning Commission. A decision to deny a proposed CUP will not be construed as a diminution of property values or a restraint of development rights.

The table below is a comprehensive list of uses that require a CUP in the proposed LDO Land Use Matrix. It also shows uses that previously required a CUP in the SUDC whereas the requirement is removed from the LDO.

Land Development Ordinance (LDO)		
Symbol	District Name	Conditional Use Permits
RR	Rural Residential	Aquifer Recharge Agricultural Operations (CUP removed) Airport or Private Airstrip Animal Clinic Animal Shelter Cemetery or Mausoleum (CUP added) Equestrian Center, Stables, and Riding Academies Fairground/Stadium (CUP added) Farm and Landscaping Heavy Equipment Graining, Milling, Drying, Storage Sales, Service, or Storage RV Park (CUP added) Utility Service Yard Feed and Tack (CUP added) Plant Nursery (Growing & Wholesale) (CUP added) Utility Service Yard (CUP added) Zoos, Exotic Animal Keeping
R-1	Residential Low Density	Cemetery or Mausoleum Day Care Center School: Pre-K-12
R-2	Residential Medium Density	Cemetery or Mausoleum Day Care Center School: Pre-K-12
R-3	Residential High Density	Cemetery or Mausoleum Day Care Center School: Pre-K-12

Land Development Ordinance (LDO)		
Symbol	District Name	Conditional Use Permits
SHD-RO	Surprise Heritage District-Residential Overlay	Multi-family Dwelling Nursing Care Institution Places of Assembly Service Call Est.
SHD-CO	Surprise Heritage District-Commercial Overlay	Dormitory (CUP added) Bar/Nightclub (CUP added) Food Manufacturing & Processing Microbrewery, Distillery, & Winery (CUP added) Minor Vehicle Repair Park and Ride (CUP removed) Parking Lot, Parking Structure Places of Assembly (CUP removed) Minor Vehicle Repair (CUP added) Self-Storage University or College Vocational School
MU-1	Mixed Use Medium density	Bar/Nightclub (CUP added) Parking Lot, Parking Structure (CUP added) School: Pre-K-12
MU-2	Mixed Used High Density	Bar/Nightclub (CUP added) Dormitory (CUP added) Microbrewery, Distillery, & Winery (CUP added) Parking Lot, Parking Structure (CUP added) Retail Shopping (CUP removed) School: Pre-K-12 University or College
MU-3	Mixed Use Resort	Amusement and/or Theme Park Campground Bar/Nightclub (CUP added) Entertainment Est.-Outdoor (CUP removed) Fairground and/or Stadium Microbrewery, Distillery, & Winery (CUP added) Parking Lot, Parking Structure (CUP added) Retail Shopping (CUP removed) Racetrack RV Park
C-1	Neighborhood Commercial	Dormitory Bank (CUP removed) Bar/Nightclub (CUP added) Day Care (CUP removed) School: Pre-K-12 University or College

Land Development Ordinance (LDO)		
Symbol	District Name	Conditional Use Permits
C-2	Community Commercial	Animal Shelter Bar/Nightclub (CUP added) Car Wash (CUP removed) Cemetery or Mausoleum Cemetery—Pets Dormitory (CUP added) Bar/Nightclub Day Care (CUP removed) Medical Marijuana Dispensary Medical Marijuana Offsite Cultivation Minor Vehicle Repair Parking Lot/Structure (CUP added) Self-Storage (CUP added) School: Pre-K-12 Tattoo/Body Piercing Est. University or College Vocational School (CUP added)
C-3	Regional Commercial	Amusement and/or Theme Park Animal Shelter Bar/Nightclub (CUP added) Cemetery or Mausoleum Cemetery—Pets Dormitory (CUP added) Bar/Nightclub Day Care (CUP removed) Entertainment Est. Outdoor (CUP removed) Fairground and/or Stadium Manufactured Home, Oversize vehicles Sales Major Vehicle Repair Minor Vehicle Repair Medical Marijuana Dispensary Medical Marijuana Offsite Cultivation Park and Ride (CUP removed) Parking Lot/Structure (CUP added) Recycling—Indoor Collection Facility RV Park (CUP added) RV Storage OHV, Motorcycle, Boats Sales (CUP added) Personal Vehicle Sales Self-Storage Tattoo/Body Piercing Est. University or College Vocational School Wholesale Shopping Est

Land Development Ordinance (LDO)		
Symbol	District Name	Conditional Use Permits
BP	Business Park	Airport or Private Airstrip (CUP added) Self-Storage Dormitory (CUP added) Parking Lot/Structure (CUP added) Retail Shopping (CUP removed) OHV, Motorcycle, Boat Sales Food Manufacturing & Processing (CUP added) Freight Depot (CUP added)
I-1	Light Industrial	Airport or Private Airstrip Animal Shelter Auction – Vehicle (CUP removed) Dormitory (CUP added) Freight Depot Entertainment Est.-Outdoor (CUP removed) Fairground and/or Stadium Freight Depot (CUP added) Medical Marijuana Dispensary Medical Marijuana Offsite Cultivation Parking Lot/Structure (CUP added) Racetrack Retail Shopping (CUP removed) RV Storage (CUP removed) Commercial Vehicle Sales (CUP removed) Manufactured Home Sales (CUP removed) OHV, Motorcycle Sales (CUP removed) Personal Vehicle Sales (CUP removed) Self-Storage Sexually Oriented Businesses Truck Stop (CUP removed) University or College Vocational School Zoos, Exotic Animal Keeping
I-2	General Industrial	Medical Marijuana Dispensary Medical Marijuana Offsite Cultivation Parking Lot/Structure (CUP added) Racetrack Retail Shopping (CUP removed) RV Storage (CUP removed) Commercial Vehicle Sales (CUP removed) Manufactured Home Sales (CUP removed) OHV, Motorcycle Sales (CUP removed) Personal Vehicle Sales (CUP removed) Self-Storage Sexually Oriented Businesses Vehicle Towing & Impound Lot (CUP removed) Vocational School

Land Development Ordinance (LDO)		
Symbol	District Name	Conditional Use Permits
I-3	Heavy Industrial	Batch Plant Correction Institution or Facility Medical Marijuana Dispensary Medical Marijuana Offsite Cultivation Mining and Mineral Extraction Sanitary Landfill, Solid Waste Facility
OS-1	Open Space Conservation	Aquifer Recharge (CUP added)
OS-2	Open Space Recreation	Aquifer Recharge (CUP added) Zoos, Exotic Animal Keeping (CUP added)
PF	Public Facilities	Animal Shelter Correction Institution or Facility (CUP added) Fairground and/or Stadium Parking Lot/Structure (CUP added) Zoos, Exotic Animal Keeping

USE SPECIFIC STANDARDS:

The Use Specific Standards outlined in the attached excerpt from Chapter 106 of the LDO identifies uses and standards with unique requirements for a proposed development. The Use Specific Standards address additional regulations to protect public health, safety, and welfare.

PARKING STANDARDS:

The Parking Standards from Chapter 107 of the LDO sets both minimum and maximum levels to avoid congestion on surrounding streets while avoiding excessive on-site parking. On-street parking is also encouraged in some locations in order to provide a buffer between pedestrians and vehicular traffic.

A proposed standard will permit more flexibility when a Commerce Center design focuses on around common circulation, parking, and pedestrian connectivity. The minimum required number of spaces is calculated on the size of the commercial project instead of individually calculated for each user on the Commerce Center. New commercial tenants, often called a 'Tenant Improvement', can more easily move into existing developments based on an approved master site plan.

DIRECTION NEEDED:

Direction from the City Leaders on the concepts discussed in this memo will help prepare the next set of revisions for the LDO and the PEDS.

- Do any CUP uses need to be added or removed from the LDO?
- Should any Use Specific Standards be revised to address public health, safety, and welfare?

CONCLUSION:

Feedback from this meeting will be discussed and revisions to the LDO and PEDS will be made. Updated drafts will be published and distributed to the stakeholder and discussed at future stakeholder meetings, Planning and Zoning Commission meetings, and City Council Work Sessions.

PART II – The City of Surprise LAND DEVELOPMENT ORDINANCE (LDO)

Overview Comparison Table SUDC vs LDO												
Surprise Unified Development Code (SUDC)		Land Development Ordinance (LDO)		Change in Land Uses		Dwelling Unit Ratios		Change in Required Open Space		Change in Setbacks	Max Height	
Symbol	District Name	Symbol	District Name	Added	Removed	SUDC	LDO	SUDC	LDO		SUDC	LDO
RR or RE	Residential Ranch or Residential Estate	RR	Rural Residential	Manufactured Homes Community Garden Fairground/Stadium (CUP) Library Places of Worship RV Park (CUP) Utility Service Yard (CUP) Feed and Tack (CUP) Plant Nursery (Growing Facility & Wholesale) (CUP) Aquafer Recharge (CUP)	Animal Hospital	max 1 du / ac	min 1 du / ac	None	min 10% for new subdivisions	No change	40	40'
RL	Residential Low Density	R-1	Residential Low Density	Community Garden Places of Worship	Athletic or Fitness Club (less than 5000sf)	2-5 du / ac	min 4,950 sf / du	Min of 20% for new RL subdivisions	min of 10-20% new subdivisions (dependent on density)	Increase: garage face setbacks Decrease: front, rear, and side setbacks	30	30'
RM	Residential Medium Density	R-2	Residential Medium Density	Community Garden Places of Worship	Athletic or Fitness Club (less than 5000sf)	6-12 du / ac	min 4,00 sf / du	Min of 20% for new RM subdivisions	min of 20-25% new subdivisions (dependent of density)	Increase: garage face and side setbacks Decrease: front and rear	35	30'
RH	Residential High Density	R-3	Residential High Density	Places of Worship	Assisted Living Home Live/Work Dwelling (CUP) Model Home Complex Athletic or Fitness Club	15-21 du / ac	min 8 du / ac	30-45% of rec space / du (dependent on character pattern standards)	150sf/du of open space	No change	35-72' (6 stories max)	45-60'
SHD-RO	Surprise Heritage District-Residential Overlay	SHD-RO	Surprise Heritage District-Residential Overlay	Community Facility Community Garden Places of Assembly (CUP) Private Club Repair Service Est. (AUP) Service Call Est. (CUP)		max 8 du / ac	min 5000 sf / du			No change		30-35'
SHD-CO	Surprise Heritage District-Commercial Overlay	SHD-CO	Surprise Heritage District-Commercial Overlay	Dormitory (CUP) Animal Grooming Bar/Nightclub (CUP) Catering Services Community Facility Community Garden Entertainment Est. – Indoor Microbrewery, Distillery, & Winery (CUP) Park and Ride (CUP removed) Places of Assembly (CUP removed) Plant Nursery Repair Service Est. Service Call Est. Showroom/Sales Office Minor Vehicle Repair(CUP)		max 10 du / ac	min 4000 sf / du	Unlisted in SUDC	Open space based on either DU in multi-family projects or in setbacks of non-residential procects	No change		35-45'
MU	Mixed Use	MU-1	Mixed Use Medium Density		Assisted Living Home Funeral Home, Mortuary	TBD at Rezone	min 5,500 sf / du		Open space based on either DU in multi-family projects or in setbacks of non-residential procects	Unlisted in SUDC Now defined in LDO		45'
		MU-2	Mixed Used High Density	Assisted Living Center Entertainment Est. – Indoor Microbrewery, Distillery, & Winery (CUP) Nursing Care Institution Park and Ride Personal Services Places of Assembly Places of Worship Repair Service Est. Restaurant, Convenience/Take Out Retail Shopping (CUP removed) Service Call Est. Showroom/Sales Office	Hotels, Timeshares	TBD at Rezone	2,000-5,500 sf / du		Open space based on either DU in multi-family projects or in setbacks of non-residential procects	Unlisted in SUDC Now defined in LDO		50-60'
C-RS	Resort Commercial	MU-3	Mixed Use Resort	Entertainment Est. – Indoor Entertainment Est.-Outdoor (CUP removed) Microbrewery, Distillery, & Winery (CUP) Personal Services Places of Assembly Repair Service Restaurant, Convenience/Take Out Repair Service Est. Retail Shopping (CUP removed) Service Call Est. Showroom/Sales Office Equestrian Center		TBD at Rezone	8-20 du / ac		30% net area	Unlisted in SUDC Now defined in LDO		30-50'

PART II – The City of Surprise LAND DEVELOPMENT ORDINANCE (LDO)

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Symbol	District Name	Symbol	District Name	Added	Removed	SUDC	LDO	SUDC	LDO		SUDC	LDO
CN	Neighborhood Commercial	C-1	Neighborhood Commercial	Dormitory (CUP) Animal Grooming Athletic or Fitness Club (Commercial) Bank (CUP removed) Bar/Nightclub (CUP) Catering Services Day Care (CUP Removed) Entertainment Est. – Indoor Feed and Tack Galleries, Museums Personal Services Places of Assembly Places of Worship Private Club Repair Service Est. Restaurant, Convenience/Take Out Retail Shopping Service Call Est. Showroom/Sales Office Vehicle Fueling Stations	Live/Work Dwelling (CUP) Model Home Complex					Redifne setback in relation to ROW or residential property lines	30'	35'
CC	Community Commercial	C-2	Community Commercial	Dormitory (CUP) Animal Grooming Bar/Nightclub (CUP) Catering Services Day Care (CUP Removed) Entertainment Est. – Indoor Feed and Tack Nursing Care Institution Parking Lot/Structure (CUP) Personal Services Places of Assembly Places of Worship Repair Service Est. Self-Storage (CUP) Service Call Est. Showroom/Sales Office Vehicle Rental Facilities Vehicle Washing	Live/Work Dwelling (CUP) Model Home Complex Golf Course					Redifne setback in relation to ROW or residential property lines	35'	40'
CR	Regional Commercial	C-3	Regional Commercial	Dormitory (CUP) Bar/Nightclub (CUP) Catering Services Day Care (CUP Removed) Entertainment Est. – Indoor Entertainment Est. Outdoor (CUP removed) Feed and Tack Overnight Surgical Park and Ride (CUP removed) Parking Lot/Structure (CUP) Places of Assembly Places of Worship RV Park (CUP) Repair Service Est. Service Call Est. Showroom/Sales Office Vehicle Rental Facilities OHV, Motorcycle, Boats Sales(CUP) Personal Vehicle Sales(CUP) Fleet-Based Services Wholesale Shopping Est	Live/Work Dwelling (CUP) Model Home Complex Animal Grooming Community Facility Golf Course Zoos, Exotic Animal Keeping					Redifne setback in relation to ROW or residential property lines	35-45'	45'

PART II – The City of Surprise LAND DEVELOPMENT ORDINANCE (LDO)

Overview Comparison Table SUDC vs LDO												
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Symbol	District Name	Symbol	District Name	Added	Removed	SUDC	LDO	SUDC	LDO		SUDC	LDO
BP	Business Park	BP	Business Park	Dormitory (CUP) Medical Hospital or Overnight Surgical Personal Services Places of Assembly Restaurant, Convenience/Take Out Repair Service Est. Retail Shopping (CUP removed) School-Uni. or College Service Call Est. Showroom/Sales Office Business Incubator Vehicle Fueling Stations OHV, Motorcycle, Boat Sales(CUP) Data Center Food Manufacturing & Processing (CUP) Freight Depot (CUP) Research Facility Wholesale Shopping Est	Places of Worship Contractor Yard					Unlisted in SUDC Now defined in LDO	Unlisted in SUDC	45'
IP	Industrial Performance	I-1	Light Industrial	Dormitory (CUP) Animal Boarding Facility Catering Services Entertainment Est.-Outdoor (CUP removed) Parking Lot/Structure (CUP) Places of Assembly Repair Service Est. Retail Shopping (CUP removed) RV Storage (CUP removed) Service Call Est. Showroom/Sales Office Business Incubator Vehicle Rental Facilities Commercial Vehicle Sales (CUP removed) OHV, Motorcycle Sales (CUP removed) Personal Vehicle Sales (CUP removed) Auction – Vehicle (CUP removed) Data Center Fleet-Based Services Food Manufacturing & Processing Freight Depot (CUP) Research Facility Manufactured Home Sales (CUP removed) Plant Nursery (Growing Facility & Wholesale) Truck Stop (CUP removed)	Animal Grooming Archery Range—Outdoor Places of Worship Wrecker Service					Redifne setback in relation to ROW or residential property lines	40'	40'
IG	Industrial General	I-2	General Industrial	Catering Services Parking Lot/Structure (CUP) Repair Service Est. Retail Shopping (CUP removed) RV Storage (CUP removed) Service Call Est. Showroom/Sales Office Utility Service Yard Vehicle Rental Facilities Commercial Vehicle Sales (CUP removed) OHV, Motorcycle Sales (CUP removed) Personal Vehicle Sales (CUP removed) Minor Vehicle Repair Fleet-Based Services Food Manufacturing & Processing Manufactured Home Sales (CUP removed) Research Facility Plant Nursery (Growing Facility & Wholesale) Vehicle Towing & Impound Lot (CUP removed) Aquafer Recharge Reclamation or Wastewater Facility Wholesale Shopping Est	Archery Range—Outdoor "Potentially Incompatible Use"					Redifne setback in relation to ROW or residential property lines	85'	85' *Extra setbacks when adjacent to residential
ILM	Industrial Land Mineral Extraction	I-3	Heavy Industrial	Aquafer Recharge Contractor Yard Reclamation or Wastewater Facility	Archery Range—Outdoor Junkyard or Salvage Yard "Potentially Incompatible Use"					Redifne setback in relation to ROW or residential property lines	40'	40'

PART II – The City of Surprise LAND DEVELOPMENT ORDINANCE (LDO)

Overview Comparison Table SUDC vs LDO												
Surprise Unified Development Code (SUDC)		Land Development Ordinance (LDO)		Change in Land Uses		Dwelling Unit Ratios		Change in Required Open Space		Change in Setbacks	Max Height	
Symbol	District Name	Symbol	District Name	Added	Removed	SUDC	LDO	SUDC	LDO		SUDC	LDO
OS	Open Space	OS-1	Open Space Conservation	Aquafer Recharge (CUP)						Unlisted in SUDC Now defined in LDO		15'
		OS-2	Open Space Recreation	Community Facility Community Garden Golf Course Aquafer Recharge (CUP) Zoos, Exotic Animal Keeping (CUP)						Unlisted in SUDC Now defined in LDO		35'
PF	Public Facilities	PF	Public Facilities	Bus Terminal Community Garden Park and Ride Parking Lot/Structure (CUP) Places of Assembly School-Uni. or College Utility Service Yard Aquafer Recharge Reclamation or Wastewater Facility						Unlisted in SUDC Now defined in LDO		

Primary Land Use Matrix

LAND USE GROUP	SUDC			LDO				
	Permitted	AUP	CUP	Permitted	AUP	CUP	Min Parking	Max Parking
Residential Uses								
Assisted Living Center (more than 10 residents)	RM, RH, MU			R-2, R-3, SHD-CO , TND-MU , MU-2	SHD-RO, TND-R		0.5 per sleeping room	1 per room
Assisted Living Home (10 or less residents)	RE, RR, RL, RM, RH, RC, CS, MU			RR, R-1, R-2, SHD-RO , TND-R , R-3 , MU			2 per <i>dwelling unit</i> plus 0.5 per sleeping room	2 per <i>dwelling unit</i> plus 1 per sleeping room
Dormitory *added to Use Matrix and aligns with						SHD-CO , MU-2 , C-2 , C-3 , BP , I-1	0.5 per sleeping room	2 per sleeping room
Dwelling , Live/Work/ Work-Live	RH, CS, MU		CN, CC, CR	TND-MU , MU-1 , MU-2 , MU-3 , R-3 , CS , MU		C-1 , C-2 , C-3	2 per DU	

LAND USE GROUP	SUDC			LDO				
	Permitted	AUP	CUP	Permitted	AUP	CUP	Min Parking	Max Parking
<u>Dwelling, Multi-family</u> High Density Dwellings	RH, RC, MU			R-3, SHD-CO, <u>TND-R,</u> <u>TND-MU,</u> <u>MU-1, MU-2,</u> <u>MU-3</u> MU		SHD-RO	Studio-1B=1/unit, 2+B=2.0/unit plus 1 per 250 sf of <i>office</i> <i>uses</i>	
Dwelling, Single-Family Low Density Dwellings	RR, RE, RL, RC, CS, MU			RR, R-1, R-2, SHD-RO, <u>TND-R, MU-3</u> MU			2 per DU	
<u>Dwelling, Three-family</u> Medium Density Dwellings	RM, RC, MU			R-2, <u>R-3,</u> <u>TND-R,</u> <u>MU-3</u> MU	SHD-RO		2 per DU	

LAND USE GROUP	SUDC			LDO				
	Permitted	AUP	CUP	Permitted	AUP	CUP	Min Parking	Max Parking
<u>Dwelling, Two-family</u> Medium Density Dwellings	RM, RC, MU			R-2, <u>R-3,</u> <u>TND-R,</u> <u>MU-3</u> MU	SHD-RO		2 per DU	
Group Home	RE, RR, RL, RM, RH, RC, CS, MU			RR, R-1, R-2, R-3, SHD-RO <u>TND-R,</u> MU			Same as Residence	
Manufactured Homes	CC			<u>RR,</u> SHD-RO C-2			2 per DU	
Model Home Complex	RE, RL, RM, RH, RC, MU, CS, CN, CC, CR			RR, R-1, R-2, <u>TND-R, MU-3</u> R-3, MU, C-1, C-2, C-3				
Commercial								
Airport — or Private <u>Airstrip</u>			RR, IP, IG			RR, <u>BP,</u> I-1, I-2	1 per 100 sf GFA of waiting room space or 2 spaces per craft staging/tie down pad	
General Aviation Airstrips			IP, IG			I-1, I-2		
Amusement and/or Theme Park, Circus (permanent)			CR, C-RS			C-3, MU-3	1 per 600 sf outdoor public activity area	1 per 500 sf outdoor public activity area
Animal <u>Boarding Facility</u> Hotel/Overnight stay	SHD-CO, CC, CR			SHD-CO, C-2, C-3, <u>I-1</u>			1 per 375 sf GFA	
Animal Hospitals, Clinic, and Boarding Facilities	SHD-CO, CS, CC, CR, IP		RR, RE	SHD-CO, <u>TND-C,</u> <u>C-1,</u> C-2, C-3, I-1		RR, RE	1 per 200 sf GFA	
<u>Animal Grooming</u> <u>*added to use matrix</u>				<u>SHD-CO,</u> <u>TND-C,</u> <u>MU-1,</u> <u>CO, C-1, C-2,</u> <u>C-3, I-1</u>			1 per 200 sf GFA	
Animal Hospitals, Clinic, and Boarding Facilities	SHD-CO, CS, CC, CR, IP		RR, RE	SHD-CO, C-2, C-3, I-1		RR, RE	1 per 200 sf GFA	
Animal Shelter			RR, CS, CC, CR, PF, IP			RR, C-2, C-3, PF, I-1	1 per 300 sf GFA	

LAND USE GROUP	SUDC			LDO				
	Permitted	AUP	CUP	Permitted	AUP	CUP	Min Parking	Max Parking
Athletic or Fitness Club, Commercial Recreation Facilities	RH, MU, CC, CR, C-RS, BP, IP			R-3, SHD-CO, TND-C, TND-MU, MU-1, MU-2, MU-3, C-1, C-2, C-3, BP, I-1			1 per 250 sf GFA	1 per 100 sf GFA
<u>*size limitations are built into the zoning district</u> Athletic or Fitness Club, Commercial Recreation Facilities (Less than 5,000 gross sq. ft. and Indoor Activities Only)	RL, RM, RH, CS, MU, CN, CC, CR, C-RS, BP, IP, IG			R-1, R-2, R-3, MU, C-1, C-2, C-3, MU-3, BP, I-1, I-2				
Banks	SHD-CO, CC, CR, MU, BP		CN	SHD-CO, TND-C, TND-MU, MU-1, MU-2, C-1, C-2, C-3, BP		C-1	1 per 250 sf GFA	
<u>Bar/Nightclub</u> <u>(microbrewery listed as</u> <u>separate use)</u> <u>*CUP for potential</u> <u>location conflicts when</u> <u>adjacent to residential,</u> <u>tied to series 6 & 7 liquor</u> <u>license</u> Alcohol—Bar and/or Tavern, Microbrewery	MU, CN, CC, CR, C-RS			MU, C-1, C-2, C-3, MU-3		SHD-CO, TND-C, TND-MU, C-1, C-2, C-3, MU-1, MU-2, MU-3	1 per 100 sf GFA	
Bus Terminal	CR, IP, IG			C-3, I-1, I-2, PF			Determined by <i>Site Plan</i>	
Campground			C-RS			MU-3	1 per 4 camp sites, plus 2 per laundry and shower facility	1 per 1 camp site

LAND USE GROUP	SUDC			LDO				
	Permitted	AUP	CUP	Permitted	AUP	CUP	Min Parking	Max Parking
Catering Services <i>*added to use matrix</i>				SHD-CO, TND-C, TND-MU, CO, C-1, C-2, C-3			1 per 500 sf GFA	
Cemetery or Mausoleum			RE, RL, RM, RH, CC, CR			RR, R-1, R-2, R-3, C-2, C-3	Determined by Site Plan	
Cemetery—Pets (limited to small animals)			CC, CR, IP			C-2, C-3, I-1	Determined by Site plan	
Community Facilities or Public Meeting Hall	RE, RL, RM, RH, RC, CS, MU, CN, CC, CR. PF			RR, R-1, R-2, R-3, SHD-CO, TND-R, TND-MU, TND-OS, MU-1, MU-2, MU-3, C-1, C-2, C-3, OS-2, PF	SHD-RO, SHD-CO		3 spaces when on-street parking is prohibited or 1 per 500 sf GFA	
<i>*interpreted as</i> Entertainment Establishment-Indoor Library	RL, RM, RH, CS, MU, CN, CC, CR, PF			R-1, R-2, R- 3, MU, C-1, C- 2, C-3, PF				
Community Garden <i>*added to use matrix</i>				RR, R-1, R-2, SHD-RO, SHD-CO, TND-R, TND-MU, TND-OS, MU-1, OS-2, PF			2 spaces when on-street parking is prohibited or 1 per 500 sf GFA	
Day Care Center—Child and/or Adult Care			RE, RL, RM, RH, MU, CS, CN, CC, CR	SHD-CO, TND-C, TND-MU, MU-1, MU-2, CO, C-1, C-2, C-3	SHD-RO, TND-R	R-1, R-2, R-3, MU, C-1, C-2, C-3	1 per 375 sf GFA	1.5 per 375 sf GFA

LAND USE GROUP	SUDC			LDO				
	Permitted	AUP	CUP	Permitted	AUP	CUP	Min Parking	Max Parking
Entertainment Establishment – Indoor (previously listed separately as Bingo Parlor , Bowling Alley , Dance Hall , Pool Hall)	MU, CC, CR, C-RS			SHD-CO , TND-C , TND-MU , C-1 , C-2, C-3, MU-2 , MU-3, BP , I-1			1 per 4 seats or 1 per 50 sf GFA if no permanent seats Skating rinks-1 per 200 sf GFA Bowling, billiards, pool, etc. 2 per lane or gaming table Miniature golf establishment-1 per hole Theater (movie and performance)-1 per 4 seats	1 per 2 seats or 1 per 25 sf GFA if no permanent seats 2 per hole 1.5 per 200 sf GFA
*interpreted as Entertainment Establishment-Indoor Theater—Indoor including Dinner Theatres	MU, CC, CR, C-RS			MU, C-2, C-3, MU-3				
*interpreted as Entertainment Establishment-Indoor Video Games—Commercial	MU, CN, CC, CR, C-RS			MU, C-1, C-2, C-3, MU-3				
*interpreted as Entertainment Establishment-OutIndoor Skating Rink—Ice or Roller Skating	CC, CR, IP			C-2, C-3, I-1				
Entertainment Establishment – Outdoor (previously listed as Driving Range , and Miniature Golf Facilities , Batting Cages)				MU-3 , C-3 , I-1			1 per 4 seats or 1 per 50 sf of activity area if no permanent seats Miniature golf -1 per hole Driving Range - 2 per tee	1 per 2 seats or 1 per 30 sf GFA if no permanent seats 2 per hole

LAND USE GROUP	SUDC			LDO				
	Permitted	AUP	CUP	Permitted	AUP	CUP	Min Parking	Max Parking
*interpreted as Entertainment Establishment-Outdoor Golf Course , Driving Range, and Miniature Golf Facilities, Batting Cages	MU, CC, CR, C-RS			MU, C-2, C-3, MU-3				
*interpreted as Entertainment Establishment-Outdoor Skateboard Track—Outdoor Commercial, Go-Cart Track, Driver Training	IP		CC, CR	I-1		C-2, C-3		
*interpreted as Entertainment Establishment-Outdoor Theater—Outdoor including Drive-In and Amphitheaters	IP		CR, C-RS	I-1		C-3, MU-3		
*interpreted as Entertainment Establishment-Outdoor Archery Range—Outdoor			IP, IG, ILM			I-1, I-2, I-3		
Fairground and/or Stadium			CR, C-RS, IP, PF			RR , C-3, MU-3, I-1, PF	TBD by Parking Study with Site Plan	
Funeral Home, Mortuary	CC, CR		MU	SHD-CO, C-2, C-3		MU	1 per 4 seats	1 per 2 seats
Galleries, Auditoriums , Museums or similar facility	MU, CC, CR, C-RS			SHD-CO, TND-C, TND-MU, MU-1, MU-2, MU-3, C-1, C-2, C-3			1 per 1,000 sf GFA	1.5 per 1,000 sf GFA

LAND USE GROUP	SUDC			LDO				
	Permitted	AUP	CUP	Permitted	AUP	CUP	Min Parking	Max Parking
Golf Course, Driving Range, and Miniature Golf Facilities, Batting Cages	MU, CC, CR, C-RS			MU, C-2, C-3, <u>TND-OS,</u> <u>MU-3, OS-2</u>			2 per hole plus ancillary uses	
Hotels, <u>Motels, Resorts,</u> Timeshares	MU, CC, CR, C-RS			SHD-CO, <u>TND-C,</u> <u>TND-MU,</u> C-2, C-3, <u>MU-2, MU-3</u>			0.8 per room plus 1 per 800 sf GFA of public meeting area and restaurant space	1 per room plus 1 per 400 sf GFA of public meeting area and restaurant space
Medical Hospital or Outpatient Overnight <u>Surgical Facility</u>	CR			C-3, <u>BP</u>			1 per 400 sf GFA	1 per 100 sf GFA
Medical Marijuana Dispensary			CC, CR, IP, IG, ILM			C-2, C-3, I-1, I-2, I-3	1 per 1000 sf GFA of activity area	
Medical Marijuana Offsite Cultivation Facility			CC, CR, IP, IG, ILM			C-2, C-3, I-1, I-2, I-3	1 per 400 sf GFA	
Medical <u>Office (Health Care Facility) Clinic or</u> Laboratory	MU, CS, CN, CC, CR, BP			<u>SHD-CO,</u> <u>TND-C,</u> <u>TND-MU,</u> <u>MU-1, MU-2,</u> <u>MU-3, CO</u> C-1, C-2, C-3, BP			1 per 200 sf GFA	1 per 100 sf GFA
Medical Office	MU, CS, CN, CC, CR			MU, C-1, C-2, C-3				
Alcohol Bar and/or Tavern, Microbrewery, <u>Distillery, Winery</u> <u>*CUP for potential conflict with the residential nature of the certain zoning district</u>	MU, CN, CC, CR, C-RS			MU, <u>TND-C,</u> C-1, C-2, C-3		<u>SHD-CO,</u> <u>TND-MU,</u> <u>MU-1, MU-2,</u> <u>MU-3</u>	1 per 100 sf GFA	

LAND USE GROUP	SUDC			LDO				
	Permitted	AUP	CUP	Permitted	AUP	CUP	Min Parking	Max Parking
Nursing Care Institution	RM, RH, MU, CR			R-2, R-3, SHD-CO, TND-R, <u>MU-2</u> , <u>C-2</u> , C-3		SHD-RO	0.5 per room	1 per room
Office	CS, MU, CN, CC, CR, BP, IP, IG, ILM			SHD-CO, <u>TND-C</u> , <u>TND-MU</u> , <u>MU-1</u> , <u>MU-2</u> , <u>CO</u> , C-1, C-2, C-3, BP, I-1, I-2, I-3, <u>PF</u>			1 per 250 sf GFA	1 per 140 sf GFA
<u>*interpreted as Office</u> Call Center	<u>MU, CR, BP</u>			<u>MU, C-3, BP</u>				
<u>Office/Warehouse—</u> <u>(Front Office Flex Space)</u>	<u>CR, BP, IP,</u> <u>IG, ILM</u>			<u>C-3, BP, I-1,</u> <u>I-2, I-3</u>				
Park, Recreation, and Open <u>Space</u> <u>Lands</u>	All Districts			All Districts			1 per 1000 sf GFA of activity area	
<u>*interpreted as Park,</u> <u>Recreation, and Open</u> <u>Lands</u> Athletic Fields—Non- commercial	<u>RL, RM, RH,</u> <u>CS, MU, CN,</u> <u>CC, CR</u>			<u>R-1, R-2, R-3,</u> <u>MU, C-1, C-2,</u> <u>C-3</u>				
<u>Park and Ride</u> <u>Passenger Depot</u>	IP, IG		SHD-CO, CR	<u>MU-1, MU-2,</u> <u>I-1, I-2, PF</u>	<u>SHD-CO,</u> <u>TND-R,</u> <u>TND-C,</u> <u>TND-MU</u>	<u>SHD-CO, C-3</u>	TBD by Parking Study with Site Plan	
Parking <u>Lot, Parking</u> <u>Structure and/or</u> <u>Storage—Long Term</u>	IP, IG			<u>SHD-CO,</u> <u>I-1, I-2</u>	<u>TND-R,</u> <u>TND-C,</u> <u>TND-MU</u>	<u>SHD-RO,</u> <u>MU-1, MU-2,</u> <u>MU-3,</u> <u>C-2, C-3, BP,</u> <u>I-1, I-2, PF</u>	TBD by Parking Study with Site Plan	

LAND USE GROUP	SUDC			LDO				
	Permitted	AUP	CUP	Permitted	AUP	CUP	Min Parking	Max Parking
Personal Services Establishment	MU, CC, CR	SHD-RO		SHD-CO, <u>TND-C,</u> <u>TND-MU,</u> <u>MU-1, MU-2,</u> <u>MU-3,</u> <u>CO, C-1, C-2,</u> <u>C-3, BP</u>	SHD-RO, <u>TND-R</u>		1 per 400 sf GFA	
<u>*size limitations are built into the zoning district</u> Personal Services Establishment (Uses Listed Above)—Less than 5,000 sq. ft.	CS, MU, CN, CC, CR, C-RS			, MU, C-1, C-2, C-3, MU-3				
<u>Places of Assembly</u> Convention Facilities	CR, C-RS, PF		SHD-RO, SHD-CO	<u>SHD-CO,</u> <u>TND-C,</u> <u>TND-MU,</u> <u>MU-1, MU-2,</u> MU-3, <u>C-1, C-2, C-3,</u> <u>BP, I-1, PF</u>		SHD-RO, SHD-CO	1 per 4 seats or 1 per 50 sf GFA of if no permanent seats	1 per 2 seats or 1 per 30 sf GFA of
Places of Worship	RL, RM, RH, CR, IP, BP			<u>RR, R-1, R-2,</u> R-3, <u>SHD-RO,</u> <u>SHD-CO,</u> <u>MU-1, MU-2,</u> <u>C-1, C-2, C-3,</u> I-1, BP			1 per 4 seats or 1 per 50 sf GFA of if no permanent seats	1 per 2 seats
<u>*size limitations are built into the zoning district</u> Places of Worship (Less than 5,000 sq. ft.)	RR, RE, RL, RM, RH, CS, MU, CN, CR			RR, R-1, R-2, R-3, MU, C-1, C-3				
<u>Plant Nursery</u> (Growing, display, or sale of plant stock, seeds, or other horticultural items)	CC, CR, IP		SHD-RO	<u>SHD-CO,</u> <u>TND-C,</u> C-2, C-3, I-1	<u>SHD-RO</u>	SHD-RO	1 per 400 sf GFA of sales areas and service building	1.5 per 375 sf GFA of sales and service building

LAND USE GROUP	SUDC			LDO				
	Permitted	AUP	CUP	Permitted	AUP	CUP	Min Parking	Max Parking
Post Office	CS, MU, CN, CC, CR, BP, PF			SHD-RO, SHD-CO, <u>TND-C</u> , <u>TND-MU</u> , C-1, C-2, C-3, BP, PF			TBD by Parking Study with Site Plan	
Private Clubhouse, including Lodges	CS, MU, CC, CR			SHD-CO, <u>TND-C</u> , <u>TND-MU</u> , <u>MU-1, MU-2</u> , <u>C-1</u> , C-2, C-3	SHD-CO		1 per 300 sf GFA	
<u>Public Facility</u> <u>*added to use matrix</u>	<u>All Districts</u>			<u>All Districts</u>			TBD by Parking Study with Site Plan	
Racetrack			C-RS, IP, IG			MU-3, I-1, I-2	1 per 4 seats or 1 per 50 sf GFA of if no permanent seats	1 per 2 seats or 1 per 30 sf GFA of
Recreational Vehicle (RV) Park			C-RS			<u>RR</u> , MU-3, <u>C-3</u>	1 per 4 camp sites, plus 2 per laundry and shower facility (camping related establishments) and 1 space adjacent to each lot	
Vehicle Storage for Recreational Vehicle <u>Storage</u>			CR, IP, IG	<u>I-1</u> , <u>I-2</u>		C-3, I-1, I-2	1 per 20 RV parking space	
<u>Repair Service</u> <u>Establishment</u> <u>*added to use matrix</u>				<u>SHD-CO</u> , <u>TND-C</u> , <u>TND-MU</u> , <u>MU-1, MU-2</u> , <u>MU-3</u> , <u>CO, C-1, C-2</u> , <u>C-3</u> , <u>BP, I-1, I-2</u>	<u>SHD-RO</u> , <u>TND-R</u>		1 per 400 sf GFA	1 per 200 sf GFA
<u>*interpreted as Repair</u> <u>service</u> Gunsmith	IP		CR	I-1		C-3		

LAND USE GROUP	SUDC			LDO				
	Permitted	AUP	CUP	Permitted	AUP	CUP	Min Parking	Max Parking
Restaurant— Sit-down (Principally for the sale and consumption of food on the premises)	CS, MU, CN, CC, CR, C-RS, IP, IG			SHD-CO, <u>TND-C,</u> <u>TND-MU,</u> <u>MU-1, MU-2,</u> <u>MU-3,</u> C-1, C-2, C-3, I-1, I-2	SHD-RO		1 per 100 sf GFA	1 per 50 sf GFA
Restaurant, Convenience/ <u>Take Out</u> (Sale and consumption of food which has direct window service allowing customers to pick up food for off-premise consumption)	CC, CR, IP			<u>SHD-CO,</u> <u>TND-C,</u> <u>TND-MU,</u> <u>MU-1, MU-2,</u> <u>MU-3,</u> <u>CO, C-1,</u> C-2, C-3, <u>BP,</u> I-1	<u>TND-R</u>		1 per 150 sf GFA	1 per 75 sf GFA
Retail Shopping Establishment	CC, CR		MU	SHD-CO, <u>TND-C,</u> <u>TND-MU,</u> <u>MU-1, MU-2,</u> <u>MU-3,</u> <u>CO, C-1,</u> C-2, C-3, <u>BP, I-1, I-2</u>	<u>SHD-RO,</u> <u>TND-R</u>	MU	1 per 400 sf GFA	1 per 200 sf GFA
<u>*size limitations are built into the zoning district</u> Retail Shopping Establishment—Less than 5,000 sq. ft. (Uses Listed Above in Retail Shopping Establishment)	CS, MU, CN, CC, CR			, MU, C-1, C- 2, C-3				
<u>*interpreted as Retail</u> Alcohol—Beverage Retail Sales	MU, CC, CR, C-RS							
<u>*interpreted as Retail</u> Ammunition and Firearms Sales	CC, CR, IP, IG							

LAND USE GROUP	SUDC			LDO				
	Permitted	AUP	CUP	Permitted	AUP	CUP	Min Parking	Max Parking
<u>*interpreted as Retail</u> Home Improvement Center (Typically home, lawn, and garden supplies, brick, lumber, and other similar building materials)	CR, IP, IG			C-3, I-1, I-2				
<u>*Interpreted at Retail Sales</u> Pawn Shop/Resale Stores	CC, CR			C-2, C-3				
<u>*size limitations are built into the zoning district</u> Retail—Industrial (Retail 10% or less of Gross Floor Area)			BP			BP		
<u>*size limitations are built into the zoning district</u> Retail—Industrial (Retail 20% or less of Gross Floor Area)			IP, IG			I-1, I-2		
<u>*size limitations are built into the zoning district</u> Retail—Office	CS, MU, CC, CR, IP			, MU, C-2, C-3, I-1				
<u>*size limitations are built into the zoning district</u> Retail—Residential/Office—Residential/Retail—Office—Residential	RH, CS, MU		CN, CC, CR	R-3, MU		C-1, C-2, C-3		
School—Pre-K through 12			RC, RE, RL, RM, RH, CS, MU, CN, CC			R-1, R-2, R-3, TND-C , MU-1, MU-2, C-1, C-2	2 per classroom, 1 per 6 students for grades 10-12	3 per classroom 1 per 2 students for grades 10-12
School—University or College			MU, CN, CC, CR, IP, PF	BP, PF		SHD-CO , MU-2, C-1, C-2, C-3, I-1, PF	1 per 4 students	1 per 2 students

LAND USE GROUP	SUDC			LDO				
	Permitted	AUP	CUP	Permitted	AUP	CUP	Min Parking	Max Parking
School— Vocation (Technical Specialty or Trade)			CC, CR, IP, IG	<u>BP</u>		<u>SHD-CO</u> , C-2, C-3, I-1, I-2	1 per 200 sf GFA	1 per 150 sf GFA
<u>Self-storage</u> Warehouse ing—Mini			BP, IP, IG, CR			SHD-CO, <u>C-2</u> , C-3, BP, I-1, I-2	Drive-up Storage-1 per 300 sf GFA of office/retail space Multi-story/climate controlled-1 per 50 storage unit	1 per 35 storage spaces
<u>Service Call</u> <u>Establishment</u>				<u>SHD-CO</u> , <u>TND-C</u> , <u>TND-MU</u> , <u>MU-1</u> , <u>MU-2</u> , <u>MU-3</u> , <u>CO</u> , <u>C-1</u> , <u>C-2</u> , <u>C-3</u> , <u>BP</u>	<u>SHD-RO</u> , <u>TND-R</u>		1 per 400 sf GFA	
Sexually Oriented Businesses			IG, ILM			I-2, I-3	1 per 400 sf GFA	
Rifle and Pistol <u>Shooting</u> Range—Indoor Only	CR, IP, IG			C-3, I-1, I-2			2 per stall	
<u>*interpreted as Shooting</u> <u>Range-Indoor</u> Archery Range—Indoor	IG, CR, IP			I-2, C-3, I-1				
<u>Showroom/Sales Office</u>				<u>SHD-CO</u> , <u>TND-C</u> , <u>TND-MU</u> , <u>MU-1</u> , <u>MU-2</u> , <u>CO</u> , <u>C-1</u> , <u>C-2</u> , <u>C-3</u> , <u>BP</u> , <u>I-1</u> , <u>I-2</u>			1 per 400 sf GFA	
State Vehicle Inspection Station	CC, CR, IP, IG, PF			SHD-CO, C-2, C-3, I-1, I-2, PF			TBD by Parking Study with Site Plan	

LAND USE GROUP	SUDC			LDO				
	Permitted	AUP	CUP	Permitted	AUP	CUP	Min Parking	Max Parking
*interpreted as retail or wholesale sales Stone Monument—Retail and Wholesale	IP, IG, ILM			I-1, I-2, I-3				
Tattoo and/or Body Piercing Establishment	CR		CC	C-3		C-2	1 per 400 sf GFA	1 per 200 sf GFA
Technology/Business Incubator Space	SHD-CO			SHD-CO, BP, I-1			1 per 300 sf GFA	
Utility Equipment Infrastructure	All Districts			All Districts			1 space when on-street parking is prohibited	
Utility Service Yard				I-2, PF		RR	TBD by Parking Study with Site Plan	
Vehicle Fueling Stations	CC, CR, IP, IG, ILM		CS, MU	SHD-CO, C-1, C-2, C-3, BP, I-1, I-2, I-3		MU	1 per 300 sf GFA retail areas	1 per 375 sf GFA, including service bays, wash tunnels, and retail areas
Vehicle Rental Facilities				C-2, C-3, I-1, I-2			1 per 500 sf GFA retail areas	1 per 200 sf GFA
Vehicle Sales & Leasing: New or Used (Commercial, including Equipment)				I-1, I-2			1 per 300 sf GFA of office and covered sales areas	1.5 per 375 sf GFA of sales and service building
Vehicle Sales & Leasing: New or Used (OHV, motorcycles, boats, or similar)				BP, I-1, I-2		C-3	1 per 300 sf GFA of office and covered sales areas	1.5 per 375 sf GFA of sales and service building
Vehicle Sales & Leasing: New or Used (Personal) Vehicle Sales—Large Scale (Uses Listed Above in Vehicle Sales: Less than 15 vehicles)			CR, IP	I-1, I-2		C-3, I-1	1 per 300 sf GFA of office and covered sales areas	1.5 per 375 sf GFA of sales and service building
Vehicle Service—Major Repair	IP, IG		CR	I-1, I-2		C-3	1 per 500 sf GFA, including service bays, wash tunnels, and retail areas	1 per 375 sf GFA, including service bays, wash tunnels, and retail areas

LAND USE GROUP	SUDC			LDO				
	Permitted	AUP	CUP	Permitted	AUP	CUP	Min Parking	Max Parking
Vehicle Service—Minor Repair	IP		CC, CR	I-1, I-2		SHD-CO , C-2, C-3	1 per 500 sf GFA, including service bays, wash tunnels, and retail areas	1 per 375 sf GFA, including service bays, wash tunnels, and retail areas
Vehicle Washing Facilities	CR, IP, IG		CN, CC	C-2 , C-3, I-1, I-2		C-1, C-2	1 per 300 sf GFA office and retail areas OR Self-serve car washes-3 per property	
Wireless Communication Systems Regulated by Chapter 107			RE, RL, RM, RH, RC, CS, MU, CN, CC, CR, C-RS, BP, IG, ILM IP	All Zoning Districts per Chapter 107		, R-1, R-2, R-3, MU, C-1, C-2, C-3, MU-3, BP, I-2, I-3 I-1		
Zoos, Exotic Animal Keeping			RR, OS, PF, CR, IP			RR, OS 2 , PF, C-3 , I-1	TBD by Parking Study with Site Plan	
Employment/Industrial								
Agricultural Related Operations	RR			RR			1 per 1,500 sf GFA	
*interpreted as Agricultural Operations Farm Animal Keeping (Commercial)			RR			RR		
Farm Animal Keeping (Non-Commercial)	RR			RR				
*interpreted as Agricultural Operations Soil Crops (Commercial)	RR			RR				
Auction – Vehicle (Passenger, Commercial) Truck and Heavy Equipment—Auction	IG		IP	I-1 , I-2		I-1	TBD by Parking Study with Site Plan	
Vehicle Auction	IP, IG			I-1, I-2				
Batch Plant, Paving Material Mixing Plant			ILM			I-3	TBD by Parking Study with Site Plan	

LAND USE GROUP	SUDC			LDO				
	Permitted	AUP	CUP	Permitted	AUP	CUP	Min Parking	Max Parking
Brick, Clay, Concrete, or Similar Production — Manufacturing	IG, ILM			I-2, I-3			TBD by Parking Study with Site Plan	
Contractor Yard Facility, including Storage	BP, IP, IG			BP, I-1, I-2, I-3			1 per 1,000 sf GFA plus 1 per 400 sf GFA of sales and service building	
<u>*separated and interpreted as Contractor Yard retail or wholesale sales, outdoor sales areas moved to Accessory Use Matrix</u> Landscaping Materials— Sales and Storage	IP, IG, ILM			I-1, I-2, I-3				
Correction Institution <u>or Facility</u>			ILM			I-3, <u>PF</u>	TBD by Parking Study with Site Plan	
<u>Data Center</u>				<u>BP, I-1</u>			TBD by Parking Study with Site Plan	
Equestrian Center, Stables, and Riding Academies	CS, CC, CR		RR, RC,	<u>MU-3,</u> C-2, C-3		RR	1 per 3 stalls	
Farm and Landscaping Heavy Equipment Sales, Service, or Storage	IP		RR	I-1		RR	1 per 300 sf GFA of office and covered sales areas	
<u>Feed and Tack Sales</u>				<u>C-1, C-2, C-3, I-1</u>		<u>RR</u>	1 per 400 sf GFA	
<u>Fleet-Based Services</u>				<u>I-1, I-2</u>			TBD by Parking Study with Site Plan	
<u>*interpreted as Light-Fleet Based Services</u> Ambulance Service	CC, CR, IP							

LAND USE GROUP	SUDC			LDO				
	Permitted	AUP	CUP	Permitted	AUP	CUP	Min Parking	Max Parking
*interpreted as fleet services Taxi/Limo Service— Parking and Dispatch	IP, IG			I-1, I-2				
*interpreted as fleet services Moving Company	IP, IG			I-1, I-2				
Food Manufacturing & Processing				I-1, I-2		SHD-CO, BP	1 per 1,500 sf GFA	
Freight Depot	IG			I-2		BP, I-1	1 per 1,500 sf GFA	
Graining, Milling, Drying, Storage	IP, IG		RR	I-1, I-2		RR	1 per 1,500 sf GFA	
*prohibited use Junkyard or Salvage Yard			ILM			I-3		
Laundry or Dry Cleaning—Bulk Operation	IP, IG			I-1, I-2			1 per 1,500 sf GFA	
*interpreted as Laundry, Bulk Linen/Uniform/Diaper Service (Pickup and Supply Only)	MU, CR, IP, IG			MU, C-3, I-1, I-2				
Machine, Welding Shop	BP, IP, IG			BP, I-1, I-2			1 per 1,000 sf GFA	

LAND USE GROUP	SUDC			LDO				
	Permitted	AUP	CUP	Permitted	AUP	CUP	Min Parking	Max Parking
Inside Manufacturing and Fabrication (All processing, fabricating, assembly, or disassembly takes place wholly within an enclosed building. Inside manufacturing use does not include other uses in this article that are specifically listed)	BP, IP, IG			BP, I-1, I-2			1 per 1,500 sf GFA	
<u>*interpreted as Manufacturing</u> Biotechnical— Manufacturing, Processing	IG		BP, IP	<u>BP, I-1, I-2</u>		BP, I-1		
<u>*interpreted as Manufacturing</u> Cabinet or Carpenter Shop, Millwork and Wood Products	BP, IP, IG			BP, I-1, I-2				
<u>*interpreted as Manufacturing</u> Computer and Electronic— Manufacturing	BP, IP, IG			BP, I-1, I-2				
<u>*interpreted as Manufacturing</u> Metal Products— Manufacturing and Fabrication	BP, IP, IG			BP, I-1, I-2				
Manufactured Home, <u>Portable</u> , Oversized, and Recreational (RV) Vehicle Sales, Service, or Storage			CR, IP, IG	<u>I-1, I-2</u>		C-3, I-1, I-2	1 per 375 sf GFA of sales and service building	1.5 per 375 sf GFA of sales and service building
Mining and Mineral Extraction			ILM			I-3	1 per 300 sf GFA of office and covered sales areas plus ancillary uses	

LAND USE GROUP	SUDC			LDO				
	Permitted	AUP	CUP	Permitted	AUP	CUP	Min Parking	Max Parking
Plant Nursery (Growing Facility & Wholesale)				I-1, I-2, PF		RR	1 per 1,000 sf growing area plus 1 per 400 sf GFA of sales and service building	
*interpreted as Manufacturing Paper Products— Manufacturing	BP, IG			BP, I-2				
Portable Building, Oversized and Recreational (RV) Vehicle Sales	IG			I-1, I-2		C-3		
Potentially Incompatible Use			IG, ILM			I-2, I-3		
Printer— Large Commercial Scale	BP, IP, IG			BP, I-1, I-2			TBD by Parking Study with Site Plan	
Recycling— Indoor Collection Facility	IP, IG, ILM, PF		CR	I-1, I-2, I-3, PF		C-3	TBD by Parking Study with Site Plan	
Recycling—Outdoor Collection Facility	IP, IG, ILM, PF			I-1, I-2, I-3, PF			TBD by Parking Study with Site Plan	
Recycling—Processing Facility	IG, ILM, PF			I-2, I-3, PF			1 per 1,500 sf GFA	
Research Facility — Laboratory and Testing	BP, IP, IG			BP, I-1, I-2			1 per 300 sf GFA of office and covered sales areas plus ancillary uses	
Sand and Gravel Operation	ILM			I-3			TBD by Parking Study with Site Plan	
Sanitary Landfill, Solid Waste Facility			ILM			I-3	TBD by Parking Study with Site Plan	
Stone Product Curing, Fabrication Curing, Monument—Manufacturing	IG, ILM			I-2, I-3			TBD by Parking Study with Site Plan	
Taxidermist	IP, IG			I-1, I-2			TBD by Parking Study with Site Plan	

LAND USE GROUP	SUDC			LDO				
	Permitted	AUP	CUP	Permitted	AUP	CUP	Min Parking	Max Parking
Tile, Roofing, and Waterproofing Product Manufacturing	IG			I-2			1 per 500 sf GFA, including service bays and retail areas	
Truck Stop—Full Service and Repair Permitted	IG		IP	<u>I-1, I-2</u>		I-1	1 per 300 sf GFA of sales and service building	
<u>Vehicle Towing & Impound Lot</u> Wrecker Service			IP, IG	<u>I-2</u>		I-1, I-2	1 per 600 sf GFA	
Warehousing, <u>Distribution</u>	IP, IG			I-1, I-2			TBD by Parking Study with Site Plan	
<u>Water Aquifer Recharge/Storage Facility</u>				<u>I-2, I-3, PF</u>		<u>RR, OS-1, O-2</u>	TBD by Parking Study with Site Plan	
<u>Water Reclamation or Wastewater Facility</u>				<u>I-2, I-3, PF</u>				
Welding Shop	IP, IG			I-1, I-2				
Wholesale Shopping Establishment (Uses Listed Above in Retail Shopping Establishment)	CR			C-3, <u>BP</u> , <u>I-1, I-2</u>			1 per 400 sf GFA	

Accessory Land Use Matrix

LAND USE GROUP	SUDC	LDO						
	Permitted	AUP	CUP	Permitted	AUP	CUP	Min Parking	Max Parking
<u>Accessory Dwelling Unit (ADU)</u>	<u>RR, RE, RL, RM, CS, MU</u>			<u>RR, R-1, R-2, SHD-RO, TND-R</u>			1 per ADU plus spaces for primary residence	
<u>Accessory Uses and Structure</u>				<u>All Zoning Districts</u>				
<u>Amateur Radio Antenna</u>				<u>RR, R-1, R-2, R-3, SHD-RO, TND-R</u>				

LAND USE GROUP	SUDC	LDO						
	Permitted	AUP	CUP	Permitted	AUP	CUP	Min Parking	Max Parking
<u>Animal Keeping (non-commercial, per Ch. 10)</u>				<u>All residential zoning districts</u>				
Bed and Breakfast Establishments			RR, RE, RL, RM, RH, RC, CS, MU		<u>RR, R-1, R-2, SHD-RO, TND-R</u>	RR, R-1, R-2		
<u>Common Area Open Space</u>				<u>All Zoning Districts</u>				
<u>Community Facility</u>				<u>All Zoning Districts</u>				
Community Garden				<u>RR, R-1, R-2, R-3, SHD-RO, SHD-CO, TND-R, TND-C, TND-MU, MU-1, MU-2, MU-3, OS-2, PE</u>				
<u>Cottage Industry – Galleries, Studio (including display & production space)</u>					<u>SHD-RO, TND-R</u>		2 plus spaces for primary residence	
<u>Cottage Industry – Office</u>					<u>SHD-RO, TND-R</u>		2 plus spaces for primary residence	
<u>Cottage Industry – Personal Service Establishment</u>					<u>SHD-RO, TND-R</u>		2 plus spaces for primary residence	
<u>Cottage Industry – Restaurant</u>					<u>SHD-RO, TND-R</u>		2 plus spaces for primary residence	
<u>Cottage Industry – Retail Shopping Establishment</u>					<u>SHD-RO, TND-R</u>		2 plus spaces for primary residence	

LAND USE GROUP	SUDC	LDO						
	Permitted	AUP	CUP	Permitted	AUP	CUP	Min Parking	Max Parking
Cottage Industry – Service Call Establishment					SHD-RO, TND-R		2 plus spaces for primary residence	
Cottage Industry – Welding Shop in association with art gallery					SHD-RO, TND-R		2 plus spaces for primary residence	
Drive-Through Facilities	CR, IP		CC	C-2, C-3, I-1		C-2		
Farm Stand	RR			RR				
Heliport			CR, IP			RR, C-3, BP, I-1		
Home Occupation				RR, R-1, R-2, R-3, SHD-RO, SHD-CO, TND-R, TND-MU, MU-1, MU-2, MU-3				
Outdoor Dining				SHD-CO, TND-C, TND-MU, MU-1, MU-2, MU-3, CO, C-1, C-2, C-3, BP				
Outdoor Display, Sales Area Landscaping Materials—Sales and Storage	IP, IG, ILM			C-3, I-1, I-2, I-3				
Outdoor Play Area for Animal Boarding Facility				C-2, C-3, I-1		SHD-CO		
Outdoor Storage, Use Area				I-1, I-2, I-3		C-3		
Portable Carports				RR, R-1, R-2, R-3				

LAND USE GROUP	SUDC	LDO						
	Permitted	AUP	CUP	Permitted	AUP	CUP	Min Parking	Max Parking
Recycle, Reverse-Vending Machine				C-2, C-3				
Sport Courts				All Zoning Districts				
Swimming Pool				All Zoning Districts				
Temporary Use – Construction Trailer				All Zoning Districts				
Temporary Use – Donation Bins				All Zoning Districts with TUP				
Temporary Use – Mobile Vending (per Ch. 26)	CC, CR, BP, IP, IG			C-2, C-3, BP, I-1, I-2 All Zoning Districts				
Temporary Use – Portable Storage Containers				All Zoning Districts with TUP				
Temporary Use – Seasonal Sales-Single Event Indoor				All Zoning Districts with TUP				
Temporary Use – Special Events				All Zoning Districts with TUP				

ARTICLE 10 – USE SPECIFIC STANDARDS

106-10.1 General Standards for all Use Specific Development

- A. The Use Specific Standards outlined in this Article set forth specific requirements that shall be met before approval may be given for a proposed development. These Use Specific Standards incorporate requirements to address *uses* that require additional regulations to protect public health, safety, and welfare.
- B. Specific proposals for new development may be subject to more than one (1) set of standards and shall also comply with the requirements listed elsewhere in this Ordinance. In the case of conflict with a *zoning district*, Use Specific Standards, or requirements of the Planning and Engineering Design Standards (“PEDs”) the more restrictive requirement shall apply; unless specifically provided to the contrary and clearly intended.
- C. Nothing in these provisions shall relieve any property *owner* or property *user* from satisfying any condition or requirement associated with a previous approval, special permit, conditional *use*, *Variance*, or other permit issued under any local, state, or federal ordinance or statute.

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 minor *site plan* review shall be required.
 - 1. New *accessory dwelling units* may not be constructed within the 65 DNL pursuant to A.R.S. §28-8481(E) after the adoption of this Ordinance.
- B. The *ADU* shall be located on the same *lot* as the *primary uses* and may not be sold or conveyed as a separate *dwelling unit* nor calculated as a separate *dwelling unit* for the purposes of determining *gross or net residential density*.
- C. An attached *ADU* shall have independent *access* and no direct, internal *access* to the primary *dwelling*. Detached *ADUs* shall not be located in the *front yard*.
- D. The design of any *ADU* shall respect the general *building* scale and architectural character of the primary *dwelling*, and placed to allow sharing of common space on the *lot*, such as driveways and *yards*.
- E. The *ADU* has a maximum area not to exceed fifty percent (50%) of the habitable space of the primary *dwelling unit* or eight hundred square feet (800 sf) of habitable space, whichever is less.

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- F. The *ADU* shall not have separate utility services unless the *public utility* determines that a separate meter is required for safety reasons.
- G. One (1) additional *off-street parking space* is required for the *ADU*. Existing required *off-street parking* for the primary *dwelling* shall be maintained or replaced onsite.
- H. Development Standards. **Table 106-10a** below identifies the dimensional standards required for an *ADU*.

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

Notes:

1. Calculated by the floor area of the first floor of the principal *building*. Maximum area of *ADU* shall not exceed 800 sf if the primary *dwelling* exceeds 1600 sf.
2. May be increased as required by the *building* and/or fire codes.
3. The entrance to the *ADU* shall not face be visible from the *street*, except for entrances that do not have *access* from the ground level, such as entrances from balconies or decks. *Access* shall not create the appearance of a *two-family dwelling*.
4. The *height* of an *ADU structure* shall not exceed nine feet (9') as measured at the five-foot (5') *setback* line. The *height* of the *ADU structure* may increase at a ratio of one foot vertical for every one foot horizontal (1':1') as measured relative to the property line to a maximum *height* equal to the *zoning district* (See **Figure 106-10a** and **106-b**).
5. The *ADU* shall be connected to the primary *dwelling* by a common roof, covered passageway, or *common wall* without direct *access* to the primary *dwelling unit*.
6. On *lots* 30,000 sf or greater each *ADU* has a maximum *height* equal to the *zoning district* when constructed within the *building envelope*.

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 feet (5') from other *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.
- B. An *accessory structure* that is exempt from the *building permit* requirement still must comply with any other provisions, code, or regulation adopted by the city.
- C. No *accessory use*, *building*, or *structure* shall be constructed or developed on a *lot* prior to the establishment/construction of the *primary uses*, *building*, or *structure*;

except for open-wire fencing on an otherwise undeveloped residential *lot* in the Rural Residential (RR) *Zoning district* or retaining walls associated with site development.

- D. No *accessory building* shall at any time be *used* as a *dwelling unit*, unless specifically developed as an *ADU* in compliance with the standards outlined in **Section 106-10.2** above and otherwise complies with the applicable *building codes*.
- E. A *structure* shall not be considered *accessory* if it is connected to the principal *building* by a common roof *structure* or covered passageway, except an *ADU* may be connected to the primary *dwelling*.
- F. With the exception of attached *ADUs*, and decorative shade *structures* such as gazebos, pergolas, and arbors, a residential *accessory structure* shall not be located in the *front yard* of a residential *lot*; except in the RR *Zoning district*. *ADUs* and decorative shade *structures*, such as gazebos and arbors, may be in the *front yard*, but may not encroach into the minimum *front* or *side setbacks*.
- G. An *accessory structure* shall remain *accessory* to and under the same *ownership* as the *primary uses*, and shall not be *subdivided* or sold separately.
- H. No permit shall be issued for the construction of more than one (1) detached *garage accessory structure* for each *dwelling*.
- I. Apiaries may be permitted, provided the hives shall not be located closer than eighty feet (80') to any *dwelling*, *lot line*, or *right-of-way*.
- J. Development Standards. **Table 106-10b** below identifies the dimensional standards required for an *accessory structure*.

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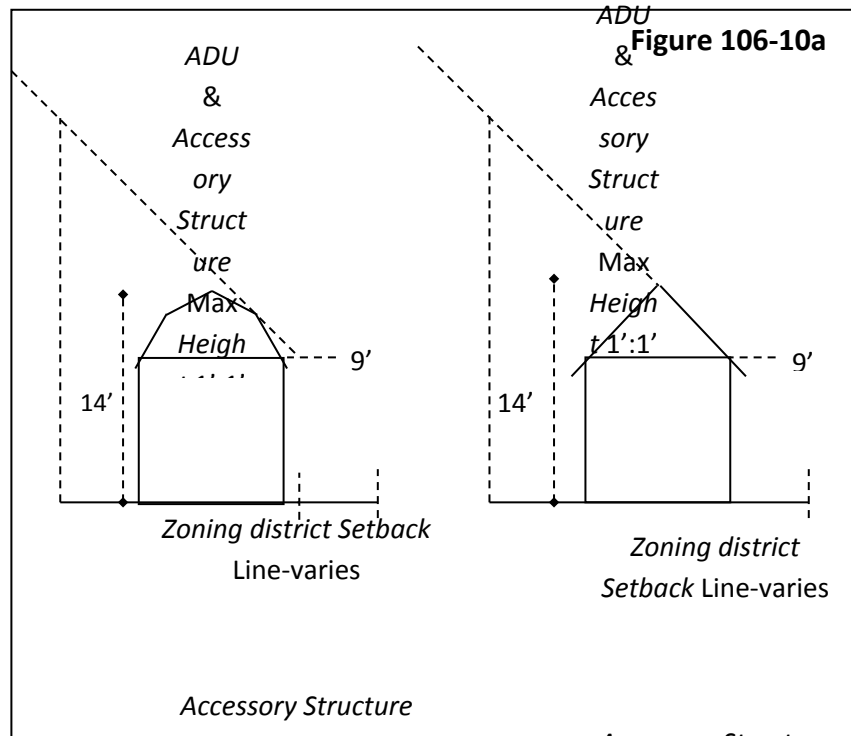
Table 106-10b - Accessory Structures

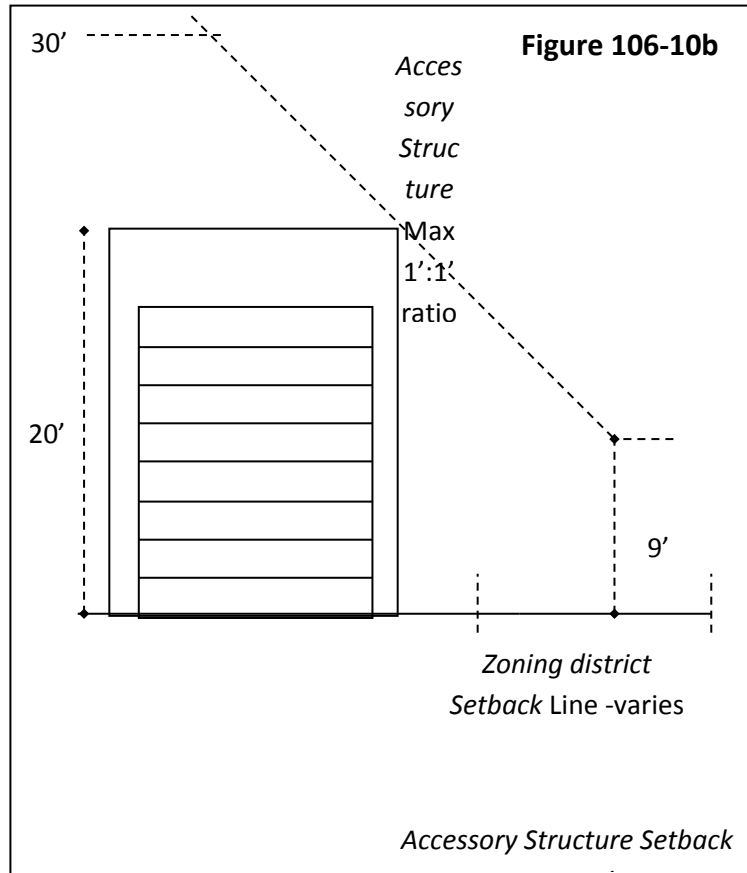
	Max Accessory Structure Size	Building Separation ²	Setback (Front yard)	Setback (Side and Rear yard)	Height
Shade Structures	400 sf	5'	Same as Zoning min setbacks	5'	9' ³
Other accessory structures	50% of primary dwelling ^{1,4}	5'	Not allowed ⁷	5' ⁵	9' ^{3,6}

Notes:

1. Calculated by the finished floor area of the first floor of the principal *building*. Maximum area of *accessory structure* shall not exceed 800sf if primary *dwelling* exceeds 1600 sf.
2. May be increased as required by the *building* and/or fire codes
3. The *height* of an *accessory structure* shall not exceed nine feet (9') as measured at the five-foot (5') *setback* line. The *height* of the *accessory structure* may increase at a ratio of one foot vertical for every one foot horizontal (1':1') as measured relative to the property line to a maximum *height* of fifteen feet (15') (See **Figures 106-10a 106-10b**)
4. On *lots* 30,000 sf or greater each *accessory structure* has a maximum area not to exceed 3,000 sf
5. *Fences* used to separate properties in a subdivision may straddle the common property line
6. On *lots* 30,000 sf 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*.

- K. *Accessory structures for multi-family, mixed use, commercial, and employment projects shall be included as part of an approved site plan and comply with setbacks of the zoning district.*





106-10.4 Agricultural Animal Keeping.

- A. When allowed, the production and sale, boarding and/or breeding of *agricultural animals* for commercial purposes shall meet the provisions as outlined in **Section 106-10.5** below.
- B. The keeping of *agricultural animals* for non-commercial or personal *use* shall comply with **Chapter 10** of the Municipal Code.
- C. Apiaries may be permitted for beekeeping, provided the *structures* containing the hives shall not be located closer than eighty feet (80') to any *dwelling*, property line or *right-of-way*.
- D. No shows or other activities that would generate more vehicular traffic than is normal to an area with *single-family* residences are permitted unless the site has direct *access* to an arterial or *collector street*. Occasional shows may be allowed provided a *Temporary Use Permit* is secured and adequate parking for such shows or other special events can be demonstrated.

106-10.5 Agricultural Operations and Facilities.

- A. *Agricultural operations* may be permitted provided the site is a minimum of forty (40 ac) acres.
- B. No commercial pen feeding or commercial feed/lots or the commercial feeding of garbage to animals shall be allowed.
- C. *Agricultural structures* for storage of and maintenance of specialized machinery and equipment shall not be located closer than 200 feet from any *lot line*.
- D. Open *outdoor storage* is limited to plants, bulk organic dirt, or packaged fertilizer.
- E. All *plant nursery* or greenhouse enclosures, for commercial and wholesale purposes, shall be located a minimum of fifty feet (50') from any *lot line*.
- F. Wholesale growing of plants, trees, bushes, flowers, vegetables, and other food crops, may include limited onsite retail sales as an *accessory use* provided the *sales areas* complies with the *Farm stand* regulations listed below.
- G. Application of pesticides shall comply with the *buffer* requirements of A.R.S. §3-365 for *schools*, *day cares*, and *adjacent residential uses*.
- 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**, the *Farm stand* shall be located and constructed to meet the following requirements:
 - 1. The stand shall be *setback* a minimum of thirty feet (30') from the nearest *right-of-way*.
 - 2. The stand shall be staked or anchored in such a way as to prevent movement into the *right-of-way*.
 - 3. The site has *access* and *off-street parking* shall be provided. When a stand is located *adjacent* to a *parkway*, *access* shall be from a frontage road or intersecting *roadway*. In no case shall *access* be allowed from a *parkway*.
 - 4. The *Farm stand* shall be of portable construction and shall be removed during the seasons when it is not in *use*.
 - 5. The *structure* shall not be more than ten feet (10') in *height* and not be more than four hundred square feet (400sf).
- I. Apiaries may be permitted, provided the hives shall not be located closer than eighty feet (80') to any *dwelling*, property line or *right-of-way*.

- J. In addition to this Section, keeping of animals shall comply with **Chapter 10** of the Surprise Municipal Code.

106-10.6 Airstrip, Private.

- A. Privately owned or operated airports or airstrips for the landing and take-off operations of aircraft and hang gliders; including any fixed-base operations shall be subject to the following requirements:
1. The land area shall be a minimum of twenty (20) acres.
 2. Landing areas and strips shall be *setback* a minimum of three hundred feet (300') from any property line.
 3. All *buildings* and *structures* shall be a minimum of one hundred feet (100') from any property line.
 4. Hours of operation for any fixed-base operation (FBO) shall not impact surrounding residential land *uses*.
 5. A minimum of one (1) *off-street parking space* per each hanger and/or tie-down space shall be required.
 6. Strobe lights shall be *used* only if no *alternative* lighting is permitted by federal regulation.
 7. Safety fencing, up to six feet (6') in *height* may be required around the fixed-base operations and/or landing strip areas.
 8. Must comply with all federal, state and local regulations, including licensing, and shall not interfere with any governmental or public airport operations.

106-10.7 Amateur Radio Antennas.

- A. Antennas Permitted. *Amateur radio antennas* and support *structures* are permitted in all residential *zoning districts* without a *Conditional use Permit* provided:
1. *Antenna structures* do not exceed a maximum *height* of thirty-five feet (35') or the maximum *building height* of the *zoning district* in which such *structure* is located;
 2. *Tower* shall comply with *setback* standards for the *zoning district* in which it is located;

3. Such *structures* shall not be located in the required *front setback*, in *front yard*, or in the *street side yard*;
 4. *Antennas*, including support *structures*, shall not extend beyond the property line;
 5. Not more than two (2) such *structures* may be erected per *lot* or *parcel*; and
 6. When a Federally Licensed Radio Amateur no longer occupies the subject property, the *antenna structure* shall be removed.
- B.** In addition to the provisions outlined in **106-10.7.A** above, all *amateur radio antennas* that exceed thirty-five feet (35') in *height* shall require approval of a *Conditional use Permit* and shall adhere to the following:
1. Such *antennas* shall be of telescoping design and lowered to a *height* of no more than the maximum *building height* of the *zoning district* in which such *structure* is located when not in *use*; and
 2. In no event shall an *amateur radio antenna* exceed the *height* of seventy-five feet (75').

106-10.8 Amusement/Theme Park.

- A.** When allowed, permanent *public features* and *structures* shall be constructed.
- B.** The *lot* area shall be a minimum of ten acres (10 ac).
- C.** The required *frontage* on a *public street* shall be at least four hundred feet 400 in length.
- D.** All points of vehicular *access* shall be from arterial roads, except Fire-Medical may take *access* where appropriate.

106-10.9 Animal Hospital, Clinic, Shelter, 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 feet (100') of an *adjacent* residential *use* or residentially zoned property.

106-10.10 Assisted Living Home.

- A.** An *assisted living home* shall comply with the following requirements:
 - 1. Shall be licensed by the state and shall remain so licensed for as long as the *assisted living home* is in operation.
 - 2. An *assisted living home* shall not be located on a *lot* within one thousand two hundred feet (1,200'), measured by a straight line in any direction, from another *assisted living home*, as measured from property line to property line.
 - 3. The separation requirements shall not apply to *assisted living homes* separated by arterial roads.
 - 4. An *assisted living home* shall contain three hundred square feet (300 sf) of overall living space for each resident.
 - 5. Shall include the installation of an automatic fire sprinkler system.
 - 6. In the event that the state revokes or terminates a *person's* license to operate an *assisted living home*, then the person operating the *assisted living home* shall immediately inform the city of such revocation or termination of their license.
- B.** The above regulations are not intended to apply to the following facilities, as defined by this Ordinance, provided the appropriate and/or required licensing by the state is obtained.
 - 1. Group home as defined by A.R.S. § 36-551.
 - 2. Adult development home as defined by A.R.S. § 36-551.
 - 3. *Assisted living center*.
 - 4. *Residential care institutions* as defined by A.R.S. § 36-581.
 - 5. *Nursing care facility*

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

106-10.11 Bar/Nightclub

- A. *Bars* and *nightclubs* shall comply with A.R.S. § 4-207 separation requirements.
- B. 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.
- C. Site locations and *site plan* design, such as but not limited to compatibility with *adjacent* neighborhoods and/or being developed within an established entertainment *commerce center*, shall be factors to be considered with the application for a *CUP*.

106-10.12 Bed and Breakfast Establishment.

- A. The *bed and breakfast* establishment shall be owner-occupied, and the guest rooms shall be part of the *single-family dwelling*.
- B. No more than four (4) bedrooms per residence may be *used* for the *bed and breakfast* establishment.
- C. A fire escape plan shall be developed and graphically displayed in each guest room. Such plan shall be filed with and approved by the city fire department.
- D. Maximum guest stay at a *bed and breakfast* establishment is limited to thirty (30) consecutive days.
- E. Meals may be served only to overnight guests and residents.
- F. No *alterations* to the exterior of the residence that *alters* the residential character, except fire escapes, accessible entrances and other features may be added to protect public safety as required by the applicable life-safety codes.
- G. There shall be one (1) *off-street parking space* per rental room.

106-10.13 Cemetery.

- A. Cemeteries intended for human burial shall contain a minimum of ten acres (10'). Cemeteries intended for small animal burial shall contain a minimum of five acres (5'). Cemeteries shall be located on a collector or *arterial street*.

- B. The *cemetery* may include *accessory uses* and *structures* such as, but not limited to, a *business office*, chapel, columbarium, mausoleum, and equipment storage that are incidental to the operation of a *cemetery*. A crematorium is not an *accessory use*. *Accessory uses* and *structures* shall be set back at least fifty feet (50') from any property line.
- C. No required *setback* shall be occupied by graves. There shall be a minimum of a fifty-foot (50') landscaped *buffer* between the property line or *roadway right-of-way*; and any *building*, *structure*, or gravesite. The fifty-foot (50') *setback* shall not apply to roads designed for internal circulation within the *cemetery*.

106-10.14 Community Gardens

- A. A *fence* shall be provided on the perimeter of the garden built to a *height* not to exceed six feet (6') along the *side* or *rear lot lines* or thirty-six inches (36") along the front property line. The *fence* material shall be compatible with the design style and material of all *structures*
- B. The site shall be designed and maintained so that water and fertilizer will not drain to *adjacent* property or *right-of-way*.
- C. Hours of operation shall be limited to the hours between 6 a.m. and 8 p.m.
- D. Waste receptacles shall be provided and *screened* from neighboring properties. Refuse shall be removed so as not to be a nuisance.
- E. Composting equipment and containers, if provided, shall be specifically designed for that purpose and shall be located away from *adjacent* residences, *businesses*, and *parks* and *screened* from public view. Open composting piles are prohibited.
- F. Permitted *Buildings*:
 - 1. One (1) shed limited to two hundred square feet (200 sf) shall be permitted for the storage of any tools, fertilizers, equipment or other materials *used* in conjunction with the *community garden*. If provided it shall be adequately secured and meet *setback* requirements according to Section 106-10.3 of this article.
 - 2. Greenhouses, limited to two hundred square feet (200 sf), may be permitted if constructed of glass or other transparent materials and situated in compliance with all required *setbacks* of the *zoning district* in which it is located.
- G. *Amenities* such as raised/accessible planter beds, rain barrels, picnic tables, benches, bike racks, and garden art may be permitted.

- H. The property shall be maintained in a neat and orderly fashion as required by the Surprise Property Maintenance Code.
- I. Outdoor retailing of fresh produce or flowers grown on the site is permitted with an *Conditional use Permit* in accordance with **Section 106-10.5H**.
- J. The *community garden signage* shall comply with the Chapter 109 of this Ordinance.
- 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*.

106-10.15 Cottage Industry.

- A. Not more than forty-nine percent (49%) of the *dwelling unit* may be used for *cottage industry*. Up to one hundred percent (100%) of *accessory buildings* may be used for a *cottage industry*. carry
- B. The aggregate *building area*, including portions of the *dwelling* together with any and all *accessory buildings used* in conjunction with a *cottage industry*, shall be limited to four thousand square feet 4,000 (sf) or not more than sixty-five percent (65%) *lot coverage*, whichever is less.
- D. A *cottage industry use* that receives patrons, students, or any *business-related* individuals may only do so between the hours of 8:00 a.m. and 8:00 p.m.
- E. *Accessory buildings* and outdoor areas used for *cottage industry* purposes are intended to be limited to low intensity *uses* that produce or repair a product, and operate in such a way that they do not adversely affect *adjacent* properties. Parking and storage of *business* related commercial-rated vehicles, equipment, and products shall be limited to an enclosed *building* or within the *rear yard* and *screened* by an opaque *fence* or landscaping of approved drought-tolerant plant materials in combination with a fence.
- F. Outdoor dining *ancillary* to a *cottage industry*:
 - 1. Shall not be located within the *front setback*, shall be a minimum of fifteen feet (15') from an *adjacent* residential use, and *screened* by a minimum three foot (3') high opaque *fence* or landscaping of approved drought-tolerant plant materials in combination with the barrier.
 - 2. Shall not be more than fifty percent (50%) of the *dwelling unit's* ground floor *gross area*.

- 3. Shall not operate outside of the indoor *restaurant's* hours of operation.
- G. A *cottage industry use* may not change the character of the *structure* or *alter* the residential character of the neighborhood.
- H. Cottage industries may employ up to 5 employees in addition to those residing in the residence.
- I. *Signage* shall be limited and shall comply with the regulations outlined in **Chapter 109** of this Ordinance.

106-10.16 Day Care Center

- A. A minimum of seventy-five square feet (75') of *fenced* in outdoor play space per child shall be provided. *Fenced-in*, outdoor play space shall not include driveways, *parking areas* or land unsuited by virtue of other usage or natural features for children's play space.
- B. The minimum *lot* area shall be no less than six thousand square feet (6,000 sf) or the minimum required by the *zoning district* in which the *day care* facility is proposed, whichever requirement is greater.
- C. Access to the *day care* facility shall be by means of a collector or *arterial street*.
- D. A minimum of one (1) drop off space per every five (5) children or a maximum of five (5) spaces, located out of the main travel way, shall be provided. A five-foot (5') wide sidewalk running from the drop-off spaces to the *day care* entrance shall be provided.
- E. *Day care uses as a home occupation* are exempt from this Section and shall comply with **Section 106-10.22**.

106-10.17 Donation bins.

- A. A *Temporary Use Permit ("TUP")* is required, subject to the following:
 - 1. *Donation bins* may be placed with a *TUP* for up to twelve (12) months out of a calendar year with a *TUP* or prorated through the end of the calendar year.
 - 2. The *TUP* for any *donation bin* shall be renewed annually. Each renewal requires a new *TUP* application and fee. *Donation bin TUPs* shall be renewed within sixty (60) days prior to the first day of every calendar year. If an *applicant* submits for a *TUP* prior to the 60-day renewal period, the

permit shall not exceed the duration of the current calendar year and the permit fees will be prorated.

3. The property *owner* will control the *TUP*, and as such, the *owner* or *authorized agent* may rescind their authorization by submitting a cancellation request to the City in writing. At the request of the property *owner* or *authorized agent*, the permit will be revoked.
 4. The Community Development Director or designee may revoke the *TUP* issued under the provisions of this section when the *TUP* is issued in error or on the basis of incorrect, inaccurate, incomplete, or fraudulent information.
 5. Failure to comply with the requirements of this section may result in revocation of the *TUP* by the Community Development Director or designee.
 6. A *site plan* shall be submitted as part of the *TUP* process. The *site plan* shall indicate the proposed location of all bins on the specific site.
- B.** Arizona state law regarding drop boxes will apply to *donation bins* as defined in this Ordinance.
- C.** *Donation bins* within residential *zoning districts* may only be permitted in conjunction with *places of assembly* and other *public facilities*.
- D.** Locational Standards:
1. *Donation bins* shall be located on a paved surface.
 2. *Donation bins* shall not be located within the *setbacks*, required landscaped areas, or within required *parking spaces*.
 3. *Donation bins* 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.
- E.** Size and Quantity Standards:
1. There shall be no more than one (1) *donation bin* on properties less than one acre (1 ac) in size, no more than two (2) *donation bins* on properties or *commerce centers* of one to three acres (3 ac) in size, and no more than four (4) *donation bins* on a *commerce center* greater than three acres in size. No more than two (2) *donation bins* shall be clustered together and located within one thousand feet (1,000') of any other *donation bin* within a *commerce center*.

2. *Donation bins* shall have a capacity no greater than seven cubic yards (7 ϵ^3 cu. yd.).

F. Appearance Standards:

1. Each *donation bin* shall have a firmly closing lid.
2. Each *donation bin* shall be clearly marked to identify the specific items and materials requested to be collected for donation.
3. Each *donation bin* shall be clearly marked to identify the City of Surprise TUP permit number with contrasting paint. The numbers shall be a minimum of two inches (2") high and located on the deposit face of the *donation bin*.
4. The name and telephone number of the entity obtaining the TUP shall be affixed to the *donation bin* on an area no larger than one foot by one foot (1'x1').
5. If a *donation bin* is damaged or vandalized, it must be removed within five *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 *donation bin* must then be removed within 24 hours of discovery or notification.
6. It is the responsibility of the entity obtaining the *Temporary Use Permit* to maintain the *donation bin* painted or otherwise un-rusted and un-dented and in good repair.
7. It is the joint responsibility of the property owner or *authorized agent* and the entity obtaining the *Temporary Use Permit* to keep the area around the donation boxes free of litter and debris, and remove any graffiti within 24 hours of discovery or notification, whichever occurs first.

- G.** All donated items must be collected and stored in the *donation bin* and all contents cleared no less than once a week. Any items or materials left outside of the *donation bin* shall be removed within 24 hours of discovery or notification, whichever occurs first.

- H.** This Ordinance authorizes the city and property owner to remove and dispose of any *donation bin* (including its contents) which is unauthorized, unpermitted, or is otherwise in violation of this Ordinance.

106-10.18 Drive-through Window/Facilities.

- A. *Drive-through* facilities shall be located a minimum of twenty-five feet (25') from a public *right-of-way* and a minimum of seventy-five feet (75') from a residential district.
- B. *Drive-through* aisles shall be clearly identified through the *use* of striping, landscaping, and *signage* and shall be designed to
 - 1. Contain aisles that are a minimum eleven feet (11') wide. Any curved sections shall be a minimum of twelve feet (12') wide with a minimum radius of twenty-five feet (25') on curved section;
 - 2. Minimize the conflict between pedestrians, parking and the *building* entrance. Pedestrian walkways should not intersect the *drive-through* aisles, but where they do; they shall have a minimum of fifteen feet (15') clear visibility and be emphasized with enhanced paving. Appropriate pedestrian crossing *signs* shall be visible from both the vehicle *drive aisle* and the pedestrian walkway; and
 - 3. Be integrated with the on-site circulation of the larger development.
- C. *Drive-through* exits shall be directly onto a public *right-of-way* and shall be separated by fifteen feet (15') from a parallel, main *ingress/egress drive aisle* to avoid conflicts with other vehicular traffic.
- D. Each *drive-through* lane shall have the following minimum distances
 - 1. Forty feet (40') between the entry point and the ordering facility (i.e. *restaurant* menu board, teller machine or ordering window)
 - 2. One hundred feet (100') between pick-up/service window and ordering facility or entry point if no ordering facility is present
- E. *Drive-through* speakers shall not be audible from the right-of way or *adjacent* residential *uses*. Additional landscaping, sound attenuation walls, or other mitigation measures may be required to reduce the sound level.
- F. *Drive-through* facilities shall orient pick-up/teller windows away from *adjacent* residential *uses* or from facing the arterial or *collector street*.
- G. *Drive-through* lanes shall be *screened* from the *right-of-way* and *adjacent uses* through the incorporation of a landscaped *berm* with continuous, dense landscaping at least four feet (4') in *height* to effectively *screened* the headlights of the vehicles in line. In cases when a *berm* may not be feasible because of space constraints, a *screen fence/wall* may be *used* in connection with landscaping.
- H. *Drive-through* facilities shall incorporate either an attached canopy over the *drive-through* window or teller area of the facility or plant shade trees within the landscape *screening* areas at the window location. The canopy shall not exceed

fourteen feet (14') in *height*, measured from the ground to underside of the canopy. If canopy support pillars are *used*, they shall be finished with the same body and accent materials as the primary *building*. All *lighting fixtures* in the canopy area shall be fully recessed.

- I. The architecture of *drive-through uses* shall reflect the architecture of the principal *building*.

106-10.19 Equestrian Centers and Commercial Stables

- A. Shall have a minimum site area of ten (10) acres unless the site is *adjacent* to equestrian trails in which case the minimum site area requirement may be less; to be determined on a case-by-case basis.
- B. All livestock *structures*, containment areas of facilities *used* for the stabling, storing, showing or training of livestock and for temporary manure storage shall be set back a minimum of one hundred feet (100') from any property line. Normal *setbacks* apply to all other *structures* and *uses*.
- C. An attendant must be in residence on the property.
- D. All activity and pasture areas shall be grassed, sprinkled or treated with regularly tilled organic soil mix for dust suppression.
- E. All livestock turnout areas and pens shall be enclosed with *fences* at least five feet in *height*. The design of these enclosures shall be shown on drawings submitted with the *Conditional use Permit* application.
- F. A specific plan for the physical containment and location of manure storage and/or disposal, which minimizes odor and fly impacts on *adjacent lots or parcels*, must be provided. The spreading and tilling of manure into the soil of the paddock, pasture or arena areas may be considered manure disposal.
- G. No shows or other activities that would generate more vehicular traffic than is normal to an area with *single-family* residences are permitted when located in a RR zone unless the site has immediate *access* to an arterial or *collector street*. Occasional small shows may be allowed per stipulations of the *Conditional use Permit* in other zones. A public address system or other means of outdoor amplification may be *used* as a convenience for announcements and administration during special equestrian events only.
- H. Outdoor activity shall be limited to the hours of 6:00 a.m. and 10:00 p.m. daily.
- I. A minimum of one (1) *off-street parking space* shall be provided for each three stalls. Additional parking must be provided for shows or other special events.

- J. In the review for an *equestrian center*, commercial *stables*, and/or boarding *stables*, the City may also consider lighting, landscaping, *signage*, plan of operation, and neighborhood impact.

106-10.20 Farmer's Market

- A. The sales area shall be a minimum of 50 feet from any residential dwelling.
- B. Outdoor display of only fresh fruits and vegetables is permitted. Seasonal sales that require additional storage area may be permitted in accordance article V. Motor vehicles, including vans, trucks, semi-trucks, mobile homes, travel trailers, and other permanent or temporary structures shall not be used for storage or display purposes.

106-10.21 Group Home

- A. No group home or *recovery residence* shall be located on a *lot* within 1,320 feet, measured by a straight line in any direction, from the *lot line* of another group home or *recovery residence*.
- B. Evidence of license, certification, or registration with the appropriate local, state or federal agency, if required by such local, state or federal agency.
- C. No identification from a *public street* shall be permitted by *signage*, graphics, display, or other visual means, except for *signage* otherwise permitted by **Chapter 109** herein.
- D. Compliance with all applicable *building*, fire and safety regulations. Such homes must be reviewed and approved by the community development department for *building* code and land *use* compliance prior to the *use* commencing.
- E. No exterior change that would *alter* the *building's* residential character shall be made to the exterior of the *building(s)* and the grounds.
- F. The Community Development Department maintains authority to approve the location of any group home or *recovery residence*. An administrative record of all homes shall be maintained with the community development department.

106-10.22 Heliport.

- A. A heliport may be permitted as an *accessory use* for a *hospital*, medical facility, news station, emergency service, or similar *use*; with a *Conditional use Permit*.

- B. Helicopter landing pads shall be a minimum of 600 feet from all residentially zoned property or residential *uses*; and a minimum of 100 feet from property lines in all other *zoning districts*.
- C. All take-off, landing, and *parking areas* for helicopter landing facilities must be surfaced with a dust proof material.
- D. Evidence of Federal Aviation Administration approval of the air space and air traffic of the proposed operation and a planning report analyzing environmental impacts including, but not limited to, noise levels and mitigation, traffic generation, land *use* compatibility, number of daily operations, hours of operation, flight corridor, and the identification of any adverse impacts to the operation of other airports shall be approved and implemented prior to the issuance of any permit for a helicopter landing facility.

106-10.23 Home Occupation.

- A. A *home occupation* shall be considered a permitted *accessory uses* in all residential *zoning districts* provided that they are operated and maintained to not interfere with the peace, quiet, and dignity of the property *owners* or neighbors, if it complies with the following standards and requirements:
 - 1. The *use* of the *dwelling* as a *home occupation* location must be clearly incidental and subordinate to its *use* for residential purposes. A valid City *Business License* shall be required for all *home occupations*.
 - 2. All *home occupation* activities shall occur entirely within the residential *dwelling, garage, or accessory building* unless the Community Development Director or designee determines that the *business* activity conducted outside the *dwelling* is similar to noncommercial activities normally associated with *single-family* residences. Exceptions to this provision shall be made for swimming lessons or in-home day care.
 - 3. The *use* shall occupy no more than fifty percent (50%) of the gross floor area of the residence or four hundred square feet (400sf) of a *garage* or *accessory structure*.
 - 4. Employees shall be limited to *persons* residing in the *dwelling unit* immediate *family* members, or up to two (2) individuals who are not residents of the *dwelling unit* or immediate *family* members.
 - 5. A *home occupation* that is authorized to receive patrons, students or any *business*-related individuals at the *home occupation* location may only do so between the hours of 8:00 a.m. and 8:00 p.m., unless further regulated by a *Conditional use Permit*.

6. There shall be no exterior displays, no *outdoor storage* visible from the *street* of equipment or goods, including equipment, materials, vehicles, trailers, or open *lot* storage.
7. The *home occupation* shall not produce offensive noise, vibration, smoke, electrical interference or fluctuation in *off-site* line voltages, dust, odors, heat or other nuisances discernable beyond the property lines or beyond the *common walls* if the *home occupation* is conducted within a multiple-*family* unit.
8. The *home occupation* shall not require *structural alterations* to the principal residence that would change the outside appearance of the principle residence or change the character of the property from that of a residential *use*.
9. The *home occupation* shall not involve the *use* of electrical or mechanical equipment that would change the fire rating of the *structure* or include storage of flammable, combustible, or explosive materials. The *home occupation* shall not *use* or create any hazardous waste.
10. The *home occupation* shall not require the installation of equipment or machinery creating utility demand, noise, fumes or other impacts in excess of equipment or machinery that is customarily found in a residential area.
11. On-site advertising for the *home occupation* is prohibited, except a Class I Temporary Sign as defined in **Chapter 109** of this Ordinance may be displayed during *business* hours within the property of the residence. Window areas must not purposely, intentionally or unintentionally be *used* as *display areas* or to offer merchandise for sale.
12. No pedestrian or vehicular traffic shall be generated by the *home occupation* in greater volumes than would normally be expected in a residential area.
13. No *home occupation* will be permitted which requires receipt or delivery of merchandise, goods or equipment by a large semi-tractor/trailer *truck* nor substantial retailing or wholesaling of stocks, supplies, or products conducted on the premises.
14. No *home occupation* shall cause an increase in the *use* of any utilities (water, sewer, garbage, or electric) so that the combined total *use* for *dwelling* and *home occupation* purposes exceeds the average for residences in the neighborhood.
15. The *home occupation* shall not be conducted in such a manner or advertised in such a way as to attract consumer traffic or other nonresidential traffic. Advertisements that are displayed in any media,

including telephone directories, may not give the *street* address of the *home occupation* location.

16. All vehicles of patrons or students of the *home occupation* must be *parked* in authorized parking locations either on the *lot* where the *home occupation* is located or in the public parking *adjacent* to the *home occupation* location.

B. In case of any question as to the suitability of a *home occupation*, the Community Development Director or designee shall determine which *uses* may be allowed as *home occupations*. The following are some examples of *uses*, which would be acceptable as *home occupations*, provided they comply with the above regulations: (this list is not all inclusive and listed *uses* do not automatically qualify as a *home occupation*)

1. Home *office uses* for *service call establishments*, *mobile vending*, professional occupations, and consulting services (accountant, architect, attorney, medical, dental, therapy, insurance or real estate) without client contact at the home.
2. Art studio that includes but is not limited to painting, sculpting, writing, or composing.
3. Home crafts such as jewelry making, pottery, weaving and rug making, woodworking, metal working, and home cooking and preserving
4. *Off-site* sales and/or the *use* of retail shipping services than would normally be expected in a residential area.
5. Music lessons, swim lessons, and tutoring with no more than four (4) *persons* at any a time.
6. In-home *day care* with no more than four (4) children or adults that are not related to the caregiver.
7. Services such as *catering*, dressmaking, sewing and tailoring services, (non-vehicular) *repair services*, door-to-door sales, and off-premise party sales without client contact at the home.
8. Telephone answering, message services, word processing and other computer applications.

C. The following *uses* have a pronounced tendency, once started, to rapidly increase beyond the limits permitted for *home occupations* and thereby impair the *use* and value of a residentially zoned area for residential purposes. Therefore, the following *uses* shall not be permitted as *home occupations*: (this list is not all inclusive)

1. *Animal clinics, veterinary offices, and kennels or boarding facilities.*
2. Dance or gymnastic instruction, and photo studios.
3. Medical, dental, physical therapy, or psychotherapy *offices*, ambulance services, and mortuary.
4. Motor vehicle repair or paint shops, storage, restoration or conversion, engine repair or similar *uses*; except on a vehicle personally owned by the resident.
5. Repair shops, machine shop, furniture refinishing and upholstering.
6. *Restaurants.*
7. Private *schools* with organized classes
8. *Stables or kennels* for commercial purposes.
9. Beauty shops and barber shops
10. *Contractor's yards*
11. Sales of weapons or ammunition, retail sales in general, *banks*, credit unions or payday lending

- D.** Complaints by citizens or local residents may be cause for immediate termination of the *home occupation use* if appropriate measures cannot be undertaken to mitigate the complaint or violations. All complaints or violation of the above conditions shall be registered with, and reviewed by, the *Zoning administrator*.

106-10.24 Medical Hospitals.

- A.** The minimum *lot* area shall be five acres.
- B.** The minimum *lot frontage* shall be 300 feet or the minimum requirement of the district, whichever distance is greater.
- C.** Bio-hazardous waste incinerators with an allowable operating capacity equal to or less than 1,000 pounds per hour may be allowed as an *accessory* to a *hospital use* with the following *use* standards:
1. An incinerator *use* shall be set back a minimum of 500 feet from any property line *abutting* a residential *zoning district or use*.

2. A *site plan* shall be provided illustrating how the operation functions including circulation routes and the locations, square footage, *height* and location of *buildings*, incinerator and storage areas.

106-10.25 Live-work Dwelling

- A. The maximum size of a development designed exclusively for *live-work* units shall be 3 acres.
- B. The living space must be occupied by the *business owner* of the work space and not separately leased.
- C. The work space shall be located within the *building frontage* and/or on the ground floor or may be permitted above the ground floor through a *CUP* process.
- D. The work space shall be limited to only the non-residential *permitted uses* for the specific *zoning district* as listed in **Table No. 106-1c** with a maximum work space size of 4,000 square feet and a maximum of two (2) employees in addition to the *family* members residing in the *dwelling unit*.
- E. A *live-work* unit should mirror the *adjacent* residential *structures* in mass and design to be compatible with the diverse neighborhood in which they are located.
- F. There shall be direct pedestrian *access* at the *street frontage* or near *grade* level to each individual *live-work* unit.
- G. A *live-work* unit that has employees or walk-in commercial trade (not just by appointment) shall be fully accessible and meet ADA requirements where these commercial activities occur.
- H. *Mixed use buildings* that contain residential *uses* may be asked to demonstrate, through a report from a qualified acoustical and/or environmental engineer, either that there are no negative impacts on residential livability or that they can be mitigated through appropriate design.

106-10.26 Manufactured Homes.

- A. When permitted a *manufactured home* shall be designed and situated on the *lot* in a manner that assures similarity in exterior appearance and in keeping with, the architectural character of conventional site-built *dwellings* and the character of the surrounding neighborhood in general as required by the PEDS and with the additional specific standards outlined below.
- B. All *manufactured homes* shall be required to meet the current HUD Code standards, be certified under the National Manufactured Housing Construction

and Safety Standards Act of 1974, and comply with State of Arizona Office of Manufactured Housing regulations.

- C. A *manufactured home* shall be both multi-sectional in design and not constructed more than ten (10) years prior to the date of application for *building* installation permit.
- D. A *mobile home, recreational vehicle, or park model* is not a *manufactured home* and shall not be *used* as or considered to be a primary residential *dwelling*.
- E. Foundations. The *manufactured home* shall be pit set and placed on an excavated foundation with a permanent masonry stem wall. Skirting material is not permitted; rather the stem wall shall be treated to have the appearance of a foundation wall similar to conventional site built homes.
- F. Exterior Building Materials. Reflective *building* materials are prohibited. Metallic surfaces, including roof materials, shall be treated to be non-reflective. The *building* materials shall be durable, require low maintenance, and be of the same or higher quality as the surrounding site-built homes. Acceptable siding materials include: wood, stucco, brick, stone, or other masonry materials or any combination of these materials. Other *building* materials may be considered on a case-by-case basis provided they meet the codes and addendums adopted by the City of Surprise.
- G. Garage or Carports. The design and materials of any *garage* or *carport* shall be compatible with the design and materials of the main *structure*.
- H. Steps. If the *dwelling unit* has steps leading to the front entry the steps shall be attached to a permanent foundation and designed and constructed to compliment the architectural style of the *dwelling unit*.
- I. Anchor Ties. The *structure* shall be anchored to the ground, in accordance with engineered plans and/or approved *manufactured home* installation standards.

106-10.27 Medical Marijuana Uses.

- A. All medical marijuana *uses* shall comply with all regulations and laws pursuant to the Arizona Revised Statutes. The following provisions will not be construed as permitting any *use* or act which is otherwise prohibited or made punishable by law.
- B. A *medical marijuana dispensary facility, medical marijuana dispensary off-site cultivation location, and a medical marijuana infusion facility* shall:
 - 1. Be located in a permanent *building* and may not be located in a trailer, cargo container, storage unit, or motor vehicle.

2. The *business* location shall not exceed a maximum size of 2,500 gross square feet.
 3. Not have a drive-thru service.
 3. Not emit dust, fumes, vapors or odors into the environment.
 4. Not provide *off-site* delivery of medical marijuana.
 5. Prohibit consumption of marijuana on the premises.
 6. Not have outdoor seating areas.
 7. Disposal of marijuana remnants, by-products, and/or infused products shall not to be placed within the facilities exterior refuse containers.
- C. A *medical marijuana dispensary, medical marijuana dispensary off-site cultivation, and a medical marijuana infusion facility* shall meet the following minimum separations, measured in a straight line from the boundary of the *parcel* containing the *medical marijuana dispensary, off-site cultivation, or infusion location* to the property boundary of the *parcel* containing any *uses* as listed below in (see **Table 106-10c**).
- D. A *medical marijuana dispensary off-site cultivation* location or a *medical marijuana infusion facility* not associated with a *medical marijuana dispensary* is prohibited.
- E. A *medical marijuana dispensary, off-site cultivation facility, or an infusion facility* lawfully operation is not rendered in violation of these provisions by the subsequent location of a *place of worship, public or private primary or secondary school, public or private day care, preschool, kindergarten facility, public park, or playground* closer than the separation distances outlined below in **Table 106-10c**.

Table 106-106-10c - Separation Distances for any Medical Marijuana Facility	
Land use	Dispensaries Off-site Cultivation Facilities Infusion Facilities
From any residentially zoned property	500 feet
From any <i>place of worship</i>	500 feet
From any <i>dwelling unit</i>	500 feet
From any public or private charter, primary, or secondary <i>school</i>	1,500 feet
From any public or private <i>day care</i> , preschool, or kindergarten facility	1,500 feet
From any public <i>park</i> or playground	1,500 feet
From any other medical marijuana facility of any type	3,000 feet
From any <i>sexually oriented business</i>	3,000 feet
From any residential substance abuse facility	3,000 feet

- F.** Medical marijuana designated caregiver cultivation and qualifying patient cultivation locations shall further comply with the follow requirements:
1. Cultivation locations will be an enclosed, locked facility such as a closet, room, greenhouse or other *building* that does not exceed 50 square feet of cultivation space.
 2. Cultivation locations will not be visible from beyond the boundaries of the property on which the cultivation location is situated.
 3. Medical marijuana cultivation as an *accessory use* to the qualifying patient primary residence will only be permitted if the residence is located at least 25 miles from a *medical marijuana dispensary*.

106-10.28 Mining and Mineral Extraction

- A.** Extraction and processing of minerals and natural resources, such as mines, quarries and gravel pits and including concrete or asphalt batch plants as an *accessory use* shall comply with the following standards:
1. No excavation or processing of excavated materials shall be permitted within thirty (30) feet to the exterior boundaries and within one hundred fifty (150) feet to any residential zoned property or existing residence.
 2. Material shall be excavated in such a manner so as to assure the

convenient, efficient, and successful restoration of the land to hold to a minimum any adverse effects to *adjacent* and surrounding land as a result of piling or storing the overburden material.

3. Material shall be excavated in such a manner that leaves a minimum of two (2) feet of undisturbed sand, gravel, or soil over the entire excavation tract to provide a water bearing strata for any ground water; or more if the required geological report indicates that it is necessary.
4. The excavation operator shall maintain haul roads within the premise covered by the permit and the perimeter public roads in a dust-free condition.
5. The hours of operation, unless otherwise specified by the City, shall not be prior to 6AM or after 10PM unless the City grants special permission, for temporary expansion of the hours.
6. Operations shall be conducted in such a manner that excavated areas will not collect or permit stagnant water to remain therein.
7. The required development plan shall indicate compliance with the above standards and shall include the following topographic information at a minimum of 5 foot contour intervals:
 - a. pre-excavation contours;
 - b. proposed excavation contours;
 - c. degree of slope of banks for all excavations;
 - d. location of any *public facilities*, irrigation canals, ditches, or streambeds;
 - e. post excavation re-use and contours.

106-10.29 Model Home Complex

- A.** A *site plan* shall be required of all *model home* complexes. All requirements, (e.g. *garage* conversions, temporary sales trailers, landscaping, *building permits*, inspections), related to the construction of a *model home* complex shall be satisfied before a certificate of occupancy shall be issued.
1. Sewage disposal lines and service stub to the *model home lot(s)* shall be installed and operable.
 2. The subdivision water mains and service stub to the *model home lot(s)* shall be installed and operable.

3. Fire hydrants, as required by and in accordance with the City's Fire Code and the standards outlined in the PEDS, shall be installed and operable.
 4. *Streets* and *alley* improvements are complete.
- B. The *model home* complex shall be *used* only to market homes being built in the subdivision or master development in which it is located. No *off-site* sales are allowed.
 - C. *Building permits* for the sales/construction *office* in a *model home*, sales trailer, or *construction trailer* within the *model home* complex can be processed before or concurrent with the *Model home* Complex application. These permits can also be processed after approval of the *model home* complex. The location and parking for trailers shall be included in the *site plan* for the *Model home* Complex application if they are to remain during the public *use* of the *model home* complex.
 - D. All *model home* complexes shall prominently display a map identifying all existing and planned land *uses* and *zoning* within the subdivision and within a mile of the boundary of the subdivisions. The map shall also include the location of any proposed *major arterials* or freeways said boundary area; and the type and location of any public or private trails that will be constructed through or *adjacent* to the subdivision. The map shall be colored and a minimum of 24 inches by 36 inches in size.
 - E. All *model home* complexes for residential developments must provide notice to prospective buyers and tenants that the project is located within the influence area of Luke Air Force Base and shall be subject to the requirements of Surprise Municipal Code regarding the display of the Surprise/Luke Notification Map.
 - F. Models shall be converted to a residential *use* when the last home in the development has been sold. The time limit does not apply to models located within *apartment* complexes or *manufactured home parks*, provided the residential character of the model is maintained. Prior to occupancy as a residential unit, the *model home* complex must remove any temporary parking, sales *office*, lighting, trap fencing, flagpoles, *signage*, and similar improvements and replace *garage* doors, *fences*, and driveways to those typically found within the residential neighborhood.
 - G. All site improvements shall be completed and the complex shall have adequate *access* per the adopted City International Fire Code.
 - H. *Outdoor storage* of construction materials, supplies, or equipment shall not be permitted.
 - I. Where *model homes* complexes consist of two (2) or more than homes, xeriscape landscaping techniques shall be *used* for a minimum of one-third (1/3) of the models.

106-10.30 Plant Nursery

- A. Retail *plant nursery*, providing all incidental equipment and supplies such as but not limited to soil, fertilizer and empty containers, shall be kept within a completely enclosed *building* or within an area enclosed on all sides by a solid *fence/wall* at least six feet in *height*. No goods, materials, or objects shall be stacked higher than the *fence/wall*.
- B. A minimum *setback* of fifty feet (50') from *abutting* residential *zoning district* shall be maintained for *structures* outlined above; except sales *display areas* for plants and other goods may be outdoors and within *setbacks*.
- C. Outdoor public address systems shall not be allowed.
- D. Only low-level lighting shall be allowed.

106-10.31 Outdoor Dining/Seating.

- A. Outdoor dining, patios, and seating areas must be associated and in conjunction with a *permitted use* that serves food and/or beverages for on-site consumption. For purposes of state liquor license spacing regulations the outdoor dining, patio, and seating areas shall be considered part of the premises.
- B. Outdoor dining/seating shall be limited to locations on private property and may encroach into *setbacks* up to ten feet (10') but shall be a minimum of five feet (5') from any property line and not within the public *right-of-way*.
- C. Outdoor dining/seating shall not obstruct sidewalk or trail pedestrian or bicycle traffic or create public health and safety hazards.
- D. Roof material covering an outdoor dining/seating area may be temporary, fixed, or retractable and shall be opaque. Awnings, canopies, or similar protective shelter must be fire-treated or nonflammable.
- E. Any definable decorative barrier element physically separating the outdoor dining/seating area from *adjacent* pedestrian traffic provided shall be handicapped accessible and not exceed forty inches (40") in *height*. The design and materials of such barrier element shall complement and be compatible to the architectural design of the primary *building* façade.
- F. Decorative/accent lighting may be incorporated into the outdoor dining/seating area, landscape, awning, or canopy and shall meet all City code requirements.

106-10.32 Outdoor Display and Sales Areas.

- A.** When allowed as an *accessory use*, *outdoor display areas* for the sale, rental, or lease of new or *used* automobiles, *trucks*, boats, trailers, *recreational vehicles*, and *farm* and construction equipment may be permitted provided:
1. The maximum *display area*, which is *used* to highlight sale items excluding the sales *lot* area, shall not exceed ten percent (10%) of the total net *lot* area. Displays may encroach into *setbacks* up to ten feet (10') but shall be a minimum of ten feet (10') from any property line and not within the public *right-of-way*.
 2. All sales, repair, and rental activities are conducted within a *building*. Openings to service bays shall not face public *rights-of-way* and shall be designed to minimize the visual intrusion into adjoining properties.
 3. The *outdoor display areas* shall be included on an approved *site plan* and on a paved or other hard-surfaced area. Display *platforms* shall be a minimum of thirty feet (30') from other display *platforms*, not exceed four feet (4') in *height* and incorporate the design components of the primary *building* or landscape features.
 4. The sales or rental display of new or *used farm* and/or construction equipment shall have the equipment in the down and transportable position.
 5. The areas designated for the parking and/or storage (not *display area*) of all of the above vehicles and/or equipment shall be paved and properly *screened* with a *fence/wall*, hedge, or landscaped *berm* or combination thereof. Adequate *loading areas* must be allocated, specifically identified, and reserved on the site for the unloading of all such vehicles and equipment brought to the site by carriers.
 6. The installation and *use* of an outside public address or bell system is prohibited.
- B.** Other retail *businesses* may be permitted *outdoor display areas* as an *accessory use* provided:
1. The *outdoor display area* is only for merchandise sold on the property with the sale of the merchandise being conducted within the *business building*; no open *outdoor sales* shall be permitted.
 2. The *display area* is located on private property (not within the public *right-of-way*), not displayed within the landscaping areas, and does not displace any required parking for the *permitted uses*.

3. The merchandise is displayed in a manner allowing for shopping with a clear walkway and displayed only during *business* hours with the merchandise being brought inside at the close of each *business* day, except for permanent *outdoor displays*.
4. The *outdoor display* shall be in a manner that presents a display vignette rather than lined-up and/or chained together, and has no *signage*, blinking lights, movable or audible aspects to the display.
5. The *display area* shall be limited to only twenty-five (25%) percent of the *business* store *frontage* and located within twenty-five feet (25') of the customer entrance.
6. Permanent *outdoor display areas* may be permitted as part of an approved *site plan* for C-3 Zoning districts.

106-10.33 Outdoor Storage and Use

- A.** When allowed as an *accessory use*, *outdoor storage and use* areas may be permitted provided:
1. Permanent *outdoor storage and use* areas may be permitted as part of an approved *site plan*.
 2. *Outdoor storage* of materials and *use* areas are not permitted in the required *setbacks*.
 3. *Outdoor storage* of materials and *use* areas shall be *screened* from residential *uses* and any public *right-of-way*

106-10.34 Portable Carports.

- A.** Portable *carports* may be permitted in all residential districts, subject to the following provisions.
1. Portable *carports* shall not be permanently anchored to concrete slabs or footings or otherwise anchored in a manner that would impede ready removal and portability; but shall be tied down in such a manner to prevent wind uplift.
 2. Portable *carports* shall remain open on four (4) sides and shall be limited to a maximum of two hundred square feet (200 sf) in size.
 3. Portable *carports* shall not be located in the *front yard* of a residential *lot*.
 4. Portable *carports* shall be limited to one (1) per *lot*.

5. Portable *carports* shall not encroach into required *front* or *side setbacks* when adequate area and *access* otherwise exist.
- B. If the *lot* size, area, *access*, or configuration limitations do not permit the installation of portable *carports* without encroaching into the required front, *side* or *rear yard setbacks*, the *Zoning administrator* may authorize encroachment into the *setback* by issuing a *Conditional Use Permit* pursuant to **Chapter 102** of this Ordinance.

106-10.35 Portable Storage Containers and Construction trailers.

- A. The dimensions of a portable storage container shall not exceed 102 inches (eight feet, six inches) in *height* and 96 inches (eight feet) in width. Lengths may vary but shall not exceed 40 feet in length.
- B. The temporary placement of a portable storage container on any residential *lot* for the purpose of loading and unloading household contents shall be permitted for a period of time not exceeding seven days in a calendar year.
- C. In all non-residential districts, portable storage containers are permitted only in accordance with the following:
 1. Portable storage containers may be a *temporary use* during the construction, remodeling, or redevelopment of permanent on-site *building* and facilities. In addition to specifying and limiting the number, size, location, and duration of the storage containers, the Community Development Director or designee may require additional measures to ensure compatibility with *adjacent land uses* such as increased *setbacks*, *screening*, landscaping, exterior materials and color.
 2. Portable storage containers may be an *accessory* to a *temporary use* such as a special events or temporary retail sale that is periodic, intermittent, or isochronal. In addition to specifying and limiting the number, size, location, and duration of the storage containers, the Community Development Director or designee may require additional measures to ensure compatibility with *adjacent land uses* such as increased *setbacks*, *screening*, landscaping, exterior materials and color.
 3. Portable storage containers shall not be located in landscape areas, *open space*, *retention* basins, *drive aisles*, fire lanes, required *parking spaces*, loading zones, or any other location that may cause hazardous conditions, constitute a threat to public safety, or create a condition detrimental to surrounding *land uses* and developments.
- D. *Construction trailer* shall be subject to the following requirements:

1. The *construction trailer* shall remain on site only for the duration of an active permit. *Abandon* trailers shall not be permitted on the site.
2. The *construction trailer*, attendant parking and storage areas shall be located on site so as not to interfere with safe *ingress and egress* to developed areas or areas under construction.
3. The *construction trailer* shall be removed prior to issuance of a final certificate of occupancy.

106-10.36 Racetrack.

- A. Auto racetracks and Animal racetracks shall have the following requirements:
 1. The minimum *lot* size area shall be forty (40) acres.
 2. The site shall not be *adjacent* to *single-family* residential properties.
 3. All *buildings, structures*, and facilities associated with the activity shall be no closer than one hundred feet (100') from any property line.
 4. A public address system or other means of outdoor amplification may be only during race hours or special events times.
- B. In addition to the standards listed in (A) above, animal racetracks shall have the following requirements:
 1. Exercise tracks for animal racetracks and any additional activity areas shall be maintained in non-dust condition at all times.
 2. A manure waste management plan and fly control plan shall be prepared.
 3. All *buildings* shall be maintained in a safe and healthy manner and applicable federal, state or local statute or ordinance.
- C. Other racetracks (e.g. bicycle, motocross) shall follow the requirements as outlined in (A) above with the exception that the minimum *lot* size may be reduced to ten (10) acres.

106-10.37 Recreational Vehicle (RV) Park.

- A. A *recreational vehicle (RV) park* shall provide adequate *streets*, driveways, walkways, proper sanitary facilities, adequate fire protection, adequate water supply, adequate lighting, and adequate protection of surrounding properties. All *RV Parks* shall be land-lease developments that comply with the following standards:

1. No “*park model*”, *manufactured homes*, or site built *dwelling units* shall be permitted except for that of the *owner/manager*.
2. *RV Parks* shall be a minimum of ten (10) acres in size and all spaces shall be a minimum of 50 feet from the exterior *recreational vehicle park* exterior property lines
3. *RV Parks* shall not be *used* as permanent residences except for that of the caretaker or manager. All *recreational vehicles* within an *RV Park* shall display current license *plates/tags* and shall not be *parked* nor occupied for more than one hundred eighty (180) days per calendar year.
4. There shall be a maximum *net residential density* of twenty (20) spaces per net acre.
5. There shall be a minimum of twenty-five percent (25%) *open space* required within the development; excluding the *private streets*.
6. Dimensional requirements for each individual *RV* space are as follows:
 - a. Minimum of two thousand square feet (2,000sf)
 - b. Minimum *frontage*/driveway shall be fifteen feet (15’) and space width shall be forty feet (40’)
 - c. Minimum space length shall be fifty feet (50’)
 - d. The following minimum *setbacks* for *RVs* shall be required for all individual *lots*:
 1. *Minimum front setback*: fifteen feet (15’)
 2. *Minimum side and setback*: eight feet (8’)
7. Each *RV Park* must provide an adequate and easily identifiable *office* or registration area. The location of the *office* shall not interfere with the normal flow of traffic into and out of the *RV Park*.
8. *RV Park* developments shall be improved with paved *private streets* built to City specifications. *Private streets* shall be maintained by the private *owner* of the *RV Park*.
9. No *RV* space within the *park* shall have direct *access* to a *public street* outside of the development.
10. An approved decorative perimeter *fence* shall be constructed around the entire *RV Park*.
11. Each designated space in the *park* shall have a concrete slab for the parking of only one (1) *RV* unit per space. There shall be no *RV* parking other than

on the paved surface area within the designated space. The concrete slab shall directly connect to the paved *street* system of the *RV Park*. A minimum of one (1) *off-street parking space* shall be provided on or *adjacent* to each space.

12. Each *RV* unit shall be equipped with wheels, which remain on the unit; however, the wheels may be blocked for stability.
13. No permanent room addition shall be attached to the *RV* unit nor shall the unit be attached to any permanent *structure*.
14. Recreational *amenities* such as a swimming pool, shuffle board, and tennis and/or social centers, which may be *used* for dancing, crafts, hobbies, games, meeting, banquets, and similar recreational *uses* shall be developed and may be of conventional construction.
15. Restroom and shower facilities shall be provided separately for men and for women. A common *use* laundry facility shall be provided at a ratio of one (1) washer and one (1) dryer for each twenty (20) spaces or fraction thereof.
16. Each *RV Park* shall be master metered for both electric and water/*sewer* service. Individual lease spaces shall be developed with a hook-up to these utilities. If approved by the City, the *park* may be allowed some short-term lease spaces without utility hook-ups. Additionally, each development shall provide at least one (1) approved disposal site/pumping station for both water and *sewer* holding tanks for the *RV* units.

106-10.38 Recycling Operations and Facilities.

- A. Indoor *recycling collection facilities* will be subject to the following requirements:
 1. Will be located a minimum of 200 feet from any residential *zoning district*, measured by a straight line in any direction from property line to property line.
 2. Storage and operations will only be performed within an enclosed *building*.
 3. Processing operations are limited to cleaning, compacting, sorting, wire stripping, shearing, and baling.
- B. Outdoor *recycling collection facilities* will be subject to the following requirements:
 1. Will be located within I-1, I-2, or I-3 *zoning districts* and a minimum of 1,320 feet from any residential *zoning district*, measured by a straight line in any direction from property line to property line.

2. Processing operations are limited to cleaning, compacting, sorting, wire stripping, shearing, and baling.
 3. All operations and storage, including all equipment *used* in conducting such *use*, other than parking, will only be conducted within an enclosed *building* or within an area enclosed by a minimum six-foot (6') high *screen wall*.
 4. Storage is not permitted above the *height* of the *screen wall*.
 5. All areas of the facility open to vehicular passage will be paved.
- C.** Reverse vending machines will be subject to the following requirements:
1. Will be located a minimum of 200 feet from any residential *zoning district*, measured by a straight line in any direction from the reverse vending machine to any residential property line.
 2. Will occupy no more than 350 square feet of space.
 3. Will not reduce the number of required *parking spaces* for the hosting site.
 4. Will be clearly marked to identify the name and telephone number of the reverse vending machine *owner* and display a notice stating that no material will be left outside of the *building* or *recycling reverse vending machine*.
 5. Will be located a minimum of one hundred feet (100') from any *right-of-way access point*.
- D.** In addition to the standards listed in (B) above, *recycling processing facilities* will allow for other types of processing operations to occur.

106-10.39 Schools and Universities

- A.** Pre-K through 12 *schools* shall be subject to the following requirements:
1. *School* sites shall not have public *access* directly from a *parkway* or arterial.
 2. *Building setbacks* shall be a minimum of 50 feet for front, side and *rear setbacks*.
 3. Maximum *lot coverage* shall be sixty (60%) percent.
 4. *Open space*, including play area, shall be a minimum of twenty-five (25%) percent.

5. Designated and separate bus and parental drop off/pick up areas with separate pedestrian pathways shall be provided. The parental drop off/pick up area shall accommodate a minimum of five cars at a time. The bus drop off/pick up area shall accommodate a minimum of three buses at a time.
 6. Special paving, brick, striping, or other methods shall be *used* for pathway areas that cross vehicular *use* areas.
 7. Dumpster and trash receptacles shall be *screened* and located a minimum of 75 feet from any residential property lines.
 8. All lighting shall be directed down and fully shielded. All *building* mounted lighting and freestanding pole mounted lighting shall be a maximum of 16 feet in *height* above *grade*. All pole lighting *adjacent* to residential districts shall be *setback* a minimum of 30 feet from the property line. All lighting, other than security, shall be turned off by 10:00 p.m., unless otherwise approved through a special event permit.
 9. Parking may be allowed in the *front setbacks* of the *lot* for *schools* on a *right-of-way* designated as a collector or greater. There shall be a three-foot high landscaped *berm* or *fence/wall* or combination thereof along the *street frontage* where parking occurs. On all other *street* classifications, parking shall be meet minimum *setbacks*. A minimum of 15 percent of all *parking areas* shall be landscaped. A twenty-foot (20') minimum landscaped *setback* shall be provided where parking is *adjacent* to residential districts.
 10. Security fencing of the campus and/or outdoor play areas shall be view fencing and shall allow for emergency vehicle *access*.
 11. All *buildings* shall be designed in accordance with the PEDS (see **Chapter 107** herein) and to be compatible with the surrounding residential neighborhood.
 12. New *schools* shall not be located in areas within the 65 DNL Noise Contours.
 13. *Off-site* improvements may be required to accommodate peak traffic volumes.
- B.** University, college or trade *schools* shall be subject to the following requirements:
1. *School* sites may have public *access* from a *parkway* or *major arterial*.
 2. The site shall have pedestrian and bicycle accessibility.

3. Campus-like development site shall include a minimum of twenty-five (25%) percent *open space*.
4. New *schools* shall not be located in areas within the 65 LDN Noise Contours.
5. *School* sites shall provide adequate on-site parking or participate in the improvements of *off-site* parking facilities or *structure(s)* that would adequately serve student needs without impacting the surrounding neighborhoods or *uses*.
6. All *outdoor lighting* shall be directed down and fully shielded. All *building* mounted lighting and freestanding pole mounted lighting shall be a maximum of 16 feet in *height* above *grade*. All pole lighting *adjacent* to residential districts shall be *setback* a minimum of 30 feet from the property line.

106-10.40 Self-storage Facilities.

- A. *Self-storage facilities* may be appropriate in the Neighborhood and Commerce and Office Character Areas of the *General Plan*, except are not permitted in the Transit-Oriented Development (TOD) and Scenic Lands Sub Areas.
- B. There are four different “types” of *self-storage facilities*; each with different land use needs and varying degrees of regulations.
 1. “Garage style” with single story *buildings* that allow customers to drive directly up to the front of each individual roll-up door storage unit/bay.
 2. “Multi-story/climate controlled” in a single *building* providing *access* to the individual units from an interior hallway within the *building*.
 3. “Parking style” allows *outdoor storage* of vehicles, boats, *RV*’s, and trailers. This type can be a standalone facility or combined with either the garage style or multi-story climate controlled facility.
 4. “Portable container” is the remote facility where small roll-off containers are stored after they have been delivered to and picked up from the customer’s location; with no public or customer *access* to the storage facility.
- C. *Self-storage facilities* are for storage purposes only. No on-site retail sales are permitted from a rented storage unit.
- D. Regardless of the “type” the minimum size of any storage facility site shall be one acre (1 ac). When the site is *adjacent* to a residential *zoning district* or a residential *use*, the site shall be limited to a maximum of two acres (2 ac).

- E. The site shall be contiguous to an arterial or collector road, although *access* may or may not be directly onto such arterial or collector, as determined through the review process.
- F. All *buildings* that are visible from a *public street* shall exhibit architectural enhancements, including variation of rooflines, *uses* of multiple material types, and color variations compatible with surrounding *uses* as set forth in the PEDS (see **Chapter 107**) herein. Architectural plans, including material and color samples, shall be submitted for review at the time of application.
- G. A minimum eight-foot (8') high masonry *wall* with architectural enhancements shall be provided around the perimeter of the property or storage area. When *adjacent* to a right-of way or public area, the perimeter wall or *building* wall will be designed in accordance with **item F** of this section.
- H. *Outdoor storage* shall be limited to boats, trailers, or *recreational vehicles*. The storage of these vehicles in conjunction with either the garage style or the "multi-story/climate controlled" storage facility shall be limited to a maximum fifteen percent (15%) of the net site area. All outdoor vehicle storage shall be located in the interior of the site and shall be *screened* from view from surrounding properties. Parking style and garage style storage facilities shall provide an eight foot (8') decorative view-obscuring *wall* to *screen* the entire storage area. There shall be no storage of *abandon*, damaged, or junked boats, trailers or *recreational vehicles* in any storage facility.
- I. Site Design for Garage style facilities:
 - 1. Each site shall provide a minimum of two (2) exits, one (1) of which may be for emergency vehicle *use* only.
 - 2. All driveways, parking, loading, and circulation areas shall be paved with concrete, asphalt, or similar material.
 - 3. All one-way driveways shall provide a fifteen-foot (15') travel lane. Signing and painting shall be *used* to designate traffic direction and parking.
 - 4. All two-way driveways shall meet the Surprise Standard Details in the PEDS.
 - 5. When the main driveway directly serves storage areas or cubicles, a ten-foot (10') wide parking lane shall be provided in addition to the travel lane(s).
 - 6. No garage style *self-storage building* shall be more than two hundred feet (200') long.
- J. The maximum *building height adjacent* to a residential *zoning district* or within fifty feet (50') of a residential *dwelling* shall be fourteen feet (14') in *height*.

Building height may be increased one foot in *height* for every two feet of additional *setback* (1':2') to a maximum twenty-four feet (24') in *height* from finished *grade*. The maximum *building height adjacent* to a non-residential *zoning district* shall be a maximum of thirty-five feet (35') in *height* from finished *grade*.

- K. The required landscape areas shall be provided along all *street frontages* between the *street* and sidewalk, and within areas of the site visible from public view, including areas *adjacent* to all perimeter *fences/walls*.
- L. No hazardous or flammable materials shall be stored in a mini-storage development.
- M. No auctions, commercial sales/rentals, garage sales, or other activities not consistent with the approved storage *use* shall be conducted on the premises.

106-10.41 Sexually Oriented Businesses (SOB).

- A. A *sexually oriented business* shall not be established or operated any closer to and shall maintain a separation from those *uses* as outlined in **Table 106-10d** below.
- B. Such distances shall be measured between subject *lot lines* at their closest proximity on an aerial view without regard for intervening *structures*, topography, political boundaries, or other objects.
- C. An *SOB* lawfully operating as a conforming *use* shall not be rendered a *nonconforming use* by the subsequent location of a residential district or residential *use*, or any of those *uses* previously listed in **Table 106-10.41a** above. If the *SOB use* is *abandoned* or the *business* license is not renewed, it becomes *nonconforming* and subject to the provisions herein.
- D. Advertisements, displays or other promotional materials displaying or depicting "*specified anatomical areas*" or "*specific sexual activities*" shall not be shown or exhibited so as to be visible or audible to the public from *adjacent streets*, sidewalks or walkways or from other areas outside the establishment.
- E. A map showing the particular property or properties for which the application is being requested and the *adjacent* properties, *buildings* and *structures*, land *uses*, and *public streets* and ways within a radius of 1,320 feet of the exterior boundaries thereof shall be submitted along with the application for a *Conditional use Permit*.
- F. No *sexually oriented business*, except for an *adult motel* and *adult theaters*, may remain open at any time between the hours of one o'clock (1:00) A.M. and eight o'clock (8:00) A.M.
- G. Site locations and *site plan* design, such as but not limited to compatibility with *adjacent* neighborhoods, shall be factors to be considered with the application for

a CUP.

Table 106-10d - Sexually Oriented Businesses	
Land use	Separation Requirement (feet)
Another <i>sexually oriented business</i>	1,000
Establishment having an Arizona Spirituous Liquor License Series #06: <i>Bar</i> License or Series #07: Beer and Wine <i>Bar</i> License	500
Public <i>park</i> , playground, or public recreational facility	1,320
<i>Schools</i> (public or private)	1,320
<i>Day care</i> facility or preschool	1,320
<i>Place of Worship</i> , cultural institutions	1,320
Residential district boundary	1,320

106-10.42 Special Events and Seasonal Activities

- A.** Special events that necessitate additional parking, special equipment (such as generators or portable sanitation facilities), or security measures, including but not limited as those listed below, shall require a *Temporary Use Permit (TUP)* from the City.
1. Carnivals, circuses, festivals, fairs, firework shows, and holiday events;
 2. Concerts, exhibitions, special performances or other outdoor live entertainment;
 3. Farmer's markets and temporary retail sales of arts, crafts, souvenirs, gifts, food, and other goods;
 4. Grand opening events, tent sales, sidewalk sales, and other events that include commercial activities or commercial related activities in areas that are not *used* for commercial purposes;
 5. Religious/revival gatherings;
 6. Political/organizational rallies;
 7. Parades, races, walk or bike-a-thons, and sports tournaments;
 8. *School* events beyond the typical *use* of parking or traffic congestion;
 9. Garage or yard sales held in excess of thirty-two (32) hours or two (2) times a year.
- B.** Seasonal activities, as those listed below, shall require a *TUP* from the City.

1. Special events that exceed the time limit of seven (7) consecutive days;
 2. Temporary retail sales such as but not limited to Christmas trees, pumpkins, fireworks, or other seasonally related *outdoor sales*;
- C.** A time limit shall be established for each event.
1. Special events shall be no more than seven (7) consecutive days and no more than four (4) event periods during a calendar year shall be permitted on any single site.
 2. Seasonal activities shall be no more than forty-five (45) consecutive days per event, and may not occur more than ninety (90) cumulative days per calendar year per property, or in the case of a *commerce center*, per tenant.
- D.** Special events and seasonal activities that are minor and do not require additional parking, equipment (such as generators and portable sanitation facilities), or security measures such as those listed below do not require a *TUP*:
1. Sports tournaments.
 2. *School* events.
 3. City operated events.
 4. Garage or yard sales held for a maximum of 32 hours or two times a calendar year.
 5. *Temporary use* of portable storage containers in residential districts for the purpose of loading and unloading household contents is only permitted for a period of time not exceeding seven days in a calendar year.
 6. Live entertainment, such as ancillary to a restaurant.
 7. Peaceful assembly.
- E.** Permanent facilities or *structures* shall not be permitted under a *TUP*. The site shall be cleared of all temporary facilities and *uses* and cleaned of trash and debris when concluded.
- F.** If applicable Maricopa County Health Department approval shall be obtained prior to the City issuing the *TUP*.
- G.** All *parking areas* must be paved or have a method of dust control. If the *temporary use* is within the existing *parking area* the number of *parking spaces* shall not be reduced by more than ten (10) percent of the total spaces existing.

- H. Any *TUP* that includes retail sales must comply with necessary *business* and/or vendor license. Any *TUP* is subject to revocation if any activities related to the *TUP* are in violation of a Surprise Municipal Code.

106-10.43 Sport Courts.

- A. Outdoor sport courts in residential and *mixed use zoning districts*, including the enclosure and lighting elements, may be built as follows:
1. Sport courts other facilities shall not be permitted in the *front yard* when *used* an *accessory* to a *dwelling unit*;
 2. Sport courts other facilities without lighting shall be set back five feet from all *lot lines* (measure from the edge of the playing surface) and when *used* an *accessory* to a *dwelling unit* shall maintain *height* limitations defined in **Section 106-10.3**;
 3. Sport courts with lighting shall be set back 20 feet from all side and *rear lot lines* (measured from the edge of the playing surface or base of the lighting standard);
 4. Photometric foot-candles shall be zero along property lines and shielded to prevent *light spillage*.
 5. Protective fencing/netting may be allowed along the residential property line that *abuts* a ballfield, sport courts, or golf course.

106-10.44 Swimming Pools.

- A. Outdoor swimming pools, in-ground or above-ground, wading pools, hot tubs, spas, or other similar pools *used* for swimming, wading, purposes are subject to *building* code requirements with the following additions:
1. Private facilities listed above located in residential *zoning districts* are prohibited in the *front yard*. No water surface shall be closer than three feet (3') from any property line.
 2. It shall be the responsibility of both the property *owner* and the occupant of the premises to install and maintain the *fences*, locks, latches, and gates in good condition and proper working order when water is in the pool and both may be deemed in violation of this section for failure to do so.
 3. Swimming facilities listed above as ancillary or as an *amenity* to multi-family or non-residential *uses* shall comply with development standards of the *zoning district*.

106-10.45 Tattoo and/or Body Piercing Establishment

- A. Tattoo and/or body piercing establishments shall maintain the following minimum separations, measured by a straight line in any direction:
 - 1. Shall not be located within one thousand feet (1,000') from the *lot line* of another tattoo shop or body piercing establishment.
 - 2. Shall not be located within five hundred feet (500'), from the *lot line* of a residential district.
 - 3. Shall not be located within five hundred feet (500') from the *lot line* of a *school*, which provides elementary or secondary education.
- B. A tattoo and/or body piercing establishment lawfully operating as a conforming *use* shall not be rendered a *nonconforming use* by the subsequent location of a residential district or residential *use*, or any of those *uses* previously listed in above. If the tattoo and/or body piercing establishment is *abandoned* or the *business* license is not renewed, it becomes *nonconforming* and subject to the provisions herein.
- C. Site locations and *site plan* design, such as but not limited to compatibility with *adjacent* neighborhoods *commerce center*, shall be factors to be considered with the application for a *CUP*.
- D. Permanent facial cosmetics service shall be exempted from this section

106-10.46 Truck Stop/Travel Plaza

- A. The *lot* or *parcel* for a travel plaza/*truck stop use* shall be no more than 500 feet from an interstate or state highway interchange *right-of-way* and the minimum *lot* or *parcel* size shall be twenty (20) acres.
- B. On-site improvements, including but not limited to: 1) turning radius; 2) *drive aisle* dimensions and; 3) parking stall dimensional standards shall be in compliance with the American Association State Highway and Transportation Officials standards (AASHTO) when not included in the City of Surprise PEDS.
- C. A masonry sound attenuation *wall* of at least six (6') feet shall be installed along all property lines that *abut* or are *adjacent* to a residential *zoning district* or *use*.
- D. Any fuel dispenser along with underground storage tanks or pumps shall be a minimum of one hundred feet (100') from any residential *zoning district* and at least forty feet (40') from any property line or public *right-of-way* line.
- E. *Amenities*, such as but not limited to, shower and restroom facilities, laundry facilities, driver lounge, and *restaurant* or food services shall be provided.

106-10.47 Vehicle fueling stations

- A. All activities and operations shall be conducted entirely within an enclosed *structure*, except as follows:
 - 1. The dispensing pumps and plug-in stands, water and air facilities;
 - 2. Trash receptacles and windshield cleaning paraphernalia.
- B. The total site area shall not be less than 20,000 square feet unless it is planned to be part of a functionally integrated commercial complex.
- C. All *structures* shall be of a unique design character that is appropriate to the area. If present, pump island plug-in stand canopies shall be architecturally similar to and compatible with the main *structure* unless otherwise approved through the *site plan* review process.
- D. Landscaping shall account for a minimum of 15 percent of the site. For sites that are located at intersections, a landscaped area shall be provided at the intersection and shall extend a minimum of 150 feet in both directions from the *street* corner. Paving shall be limited to functional vehicle and pedestrian areas. All unpaved areas shall be maintained with landscaping.
- E. Sites located on arterial intersections or in other areas of significant pedestrian *use* shall locate pump islands, plug-in stands, and queuing lines away from intersections, driveways, sidewalks and other pedestrian areas.
- F. Site improvements such as *buildings* or *structures* (permanent or temporary) shall be separated from any residential property line by a minimum of 75 feet. *Parking areas* shall be separated from any residential property line by at least 25 feet.
- G. Pump islands and plug-in stands shall be located a minimum of 50 feet from a *street right-of-way* line or non-residential property line and 75 feet from a residential property line.
- H. All sources of artificial light shall be hidden and all lighting shall be *full cut-off* and designed so there is no glare or spillover on *adjacent* properties and *roadways*. Lighting under canopies shall *use* flat lenses (rather than drop lenses or refractors) and/or be fully recessed within the canopy.
- I. No vehicle shall be *parked* on the premises for the purposes of offering the vehicle for sale.
- J. Noise from bells or loudspeakers shall not be audible beyond the property line at any time.
- K. Interior curbs of not less than six inches in *height* shall be constructed to separate driving surfaces from sidewalks, landscaped areas, and *street rights-of-way*.

- L. Driveways for *fueling stations* shall be developed in conjunction with *adjacent uses* and shall be located as part of the total circulation element of such *adjacent uses*. Single *use* driveways for *fueling station use* will only be allowed when environmental or topographic constraints prohibit such shared driveway *access*.
- M. Lighting shall not exceed 50 foot-candles under canopies.
- N. No existing *fueling station* or *abandoned fueling station* may be converted to any other *use* unless the following standards are met:
 - 1. All pumps, canopies, *signs*, insignia, and corporate trademarks, supporting *structures*, mountings, and foundations, and all other aboveground improvements which are uniquely associated with *fueling station* operations shall be taken down, dismantled, and removed from the site.
 - 2. All fuel storage tanks, fuel lines, pumps, and other below ground apparatus related to the delivery or disposal of fuel products shall be excavated and removed from the site or *filled* in accordance with the provisions of the Fire Code as currently adopted by the city and all other applicable law.
 - 3. Upon the removal of the tanks, *structures*, and apparatus specified in subsections 1 and 2 of this subsection, the proposed converted fuel station site shall be resurfaced and landscaped in a manner appropriate to the proposed commercial or industrial *use*.
- O. If fuel canopies are fronting on an arterial and/or *parkway*, a minimum of 3.5 kV photovoltaic shall be required to be placed on the top of the canopy.

106-10.48 Vehicle Rental Facilities

- A. The primary *business* of a vehicle rental/leasing facility must be the rental and leasing of automobiles and light passenger *trucks*.
- B. No rental or leasing of other vehicles such as utility *trucks*, trailers or *RVs* shall be allowed.
- C. No more than six (6) vehicles shall be stored on-site in cases where the rental location is located in a *commerce center* or commercial complex that includes other retail *uses*.
- D. No outside storage of any type shall be permitted, except for passenger vehicle storage.
- E. On-site service and repairs of automobiles is prohibited, except for hand washing, vacuuming, window cleaning and checking fluids. Openings to the service bays shall not face public *rights-of-way* and shall be designed to minimize the visual intrusion into adjoining properties.

- F. The area *used* for parking and/or vehicle storage shall be properly *screened* with a *fence/wall*, hedge, plantings or combination thereof.
- G. The area *used* for parking and/or storage shall be paved.
- H. The installation and *use* of an outside public address or bell system is prohibited.
- I. Site improvements such as *buildings* or *structures* (temporary or permanent) shall be separated and *screened* from all residential zones by a minimum of 50 feet.

106-10.49 Vehicle Retail Sales.

- A. The primary *business* of a vehicle and boat sales establishment must be the retail sale of new products, except classic cars and in CR zoned properties.
- B. When on-site servicing and repair are permitted, the site also shall meet the requirements in **Section 106-10.50**.
- C. Site improvements such as *buildings* or *structures* (temporary or permanent) shall be separated from a residential zone by a minimum of 150 feet.
- D. Adequate *loading areas* must be allocated, specifically identified, and reserved on the site for the unloading of vehicles and boats brought to the site by carriers.
- E. Outside loudspeakers shall not be permitted. Digital pagers or other means must be *used* to communicate between employees in the *office* and on the premises.
- F. The maximum area for vehicle or boat display shall not exceed 20 percent of the total net *lot* area.
- G. Vehicle or boat display shall be limited to hard-surfaced areas and shall be incorporated into a setting of significant *open space*.
- H. All areas designated for vehicle or boat storage (not *display area*) shall be *screened* from view through approved landscape *berms* and *screens*.

106-10.50 Vehicle Service.

- A. Major repair. When allowed, *major repair vehicle service* facilities shall be subject to the following requirements:
 - 1. All repair and service work shall be performed within a completely enclosed *building*.

2. Openings to the service bays shall not face public *rights-of-way* and shall be designed to minimize noise and visual intrusion into adjoining properties.
 3. No *used* or discarded automotive parts or equipment shall be located or stored in any open area outside of the enclosed *building*.
 4. No dismantling, *remanufacturing*, or *rebuilding* shall be permitted unless it is clearly incidental to the *business* and the product is sold at retail at the location.
 5. All disabled vehicles shall be stored in an area that is *screened* from view from the surrounding properties and adjoining *streets*. Vehicles shall not be stored on the property longer than 30 days.
- B.** Minor repair. When allowed, *minor repair vehicle service* facilities shall be subject to the following requirements:
1. If an installation service is offered, the service shall be restricted to the installation of minor parts only, including batteries, windshield wipers, hoses, fuses, lights, radios, tires and similar minor elements, but excluding engine, transmission and differential service, or similar installation.
 2. All repair and service work shall be performed within a completely enclosed *building* with the exception of gasoline sales.
 3. Service bays shall not face public *rights-of-way* and shall be designed to minimize the noise and visual intrusion into adjoining properties.
 4. No new stock, or *used* or discarded automotive parts or equipment, shall be located or stored in any open area outside of the enclosed *building*.
 5. No dismantling, *remanufacturing* or *rebuilding* shall be permitted.
 6. All vehicles waiting for repair shall be *screened* from view through the *use* of a landscape *screen* such as *berms* and dense landscaping.
 7. *Outdoor storage and displays* are prohibited.

106-10.51 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** above.

- C.** Sufficient area on the premise to provide stacking shall be provided. The size of each individual stacking space shall be twenty feet by nine feet (20'x9'). When the stacking lane is adjacent to the *street*, it shall be *screened* by a landscaped *berm*, *screen wall*, or combination thereof not less than three feet (3') in height
- D.** All wash water disposal facilities including sludge, grit removal and disposal equipment shall be subject to the approval of the city engineer, and shall conform to all city ordinances regarding sewage and health and shall be designed so as not to detrimentally affect the city *sewer system*.
- E.** The wash tunnel exit shall be oriented away from all *adjacent* residential *uses*.
- F.** Self-service and accessory *vehicle washing facilities*. Stacking lanes shall have a minimum capacity two (2) vehicles.
- G.** Full-service *vehicle washing facilities*. Stacking lanes shall have a minimum capacity of ten (10) vehicles.

106-10.53 Zoos, Indigenous Wildlife Rescue Facilities

- A.** Animals shall be confined at all times within a secured, enclosed or *fenced* area;
- B.** Animals that are kept outdoors must be located at least 2,640 feet from any residential *dwelling*, *school*, or *day care* facility;
- C.** The site must have a minimum area of six acres; and all operations and activities shall be in accordance with Surprise Municipal Code.



Presentation: Updating the Development Code

City Council Work Session
November 2, 2020

Today's Discussion

- Conditional Use Permits (CUP)
 - Appropriateness of the use at a particular location
- Use Specific Standards
 - Uses and standards with unique requirements

Conditional Use Permit (CUP)

- Certain land uses that may be incompatible
- Individual review of design and configuration
- Ensure the appropriateness of the use at a particular location
- Burden of proof rests with the applicant
- Denial will not construe as a diminution of property values or a restraint of development rights
- LDO removes CUP from some uses compared to SUDC
- CUP required for some new uses

Use Specific Standards

- Unique requirements for a proposed development
- Address additional regulations to protect public health, safety, and welfare



Feedback?

- Do any CUP uses need to be added or removed from the LDO?
- Should any Use Specific Standards be revised to address public health, safety, and welfare?



QUESTIONS OR COMMENTS?

Thank You



CITY OF SURPRISE Regular City Council Work Session

Council Meeting Date: November 2, 2020
Submitting Department: Police
Staff Recommendations:

Contact Person: Geoffrey Leggett
District: Internal

Consent: No	Regular: No	Public Hearing: No	Report/Discussion: Yes
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Agenda Wording:

Presentation and discussion pertaining to the conversion from Uniform Crime Reporting (UCR) Summary to the National Incident Based Reporting System (NIBRS) Summary.

Motion:

Presentation and discussion only.

Background:

Uniform Crime Reporting (UCR) was established in 1929 by the International Association of Chiefs of Police (IACP) to meet the need for reliable uniform crime statistics for the nation. The National Incident Based Reporting System (NIBRS) was created in 1988 by the IACP and the NSA's committees who were involved with the Advisory Policy Board (APB) of the FBI's CJIS Division to allow for expanded and enhanced data collection to meet law enforcement needs in the 21st century. The deadline to transition to NIBRS is January 1, 2021.

Objective Analysis:

The NIBRS system will capture more detailed information about offenses which will allow better crime analysis reporting than under the UCR summary. The change to NIBRS will make it appear that there is an increase in crime.

Policy Compliant:

The City has always practiced providing the best service possible to its citizens by capturing more crime data, this will allow the Police Department to analyze crime trends and respond more quickly and effectively.

Financial Impact:

The officers will spend more time collecting information and Records personnel will spend more time inputting and analyzing data. The costs for UCR reporting are presently being absorbed in the current budget; however, there may be a need in the future to hire additional personnel for this process.

Budget Impact:

None

FTE Impact:

None at this time.

ATTACHMENTS:

1. NIBRS council draft rev Revised_
-

Uniform Crime Reporting Summary

- Established in 1929 by the International Association of Chiefs of Police to meet the need for reliable uniform crime statistics for the nation
- Part 1 Offenses
- Hierarchy Rule (highest ranking offense is reported)
 - Homicide
 - Sexual Assault
 - Robbery
 - Aggravated Assault
 - Theft
 - Auto Theft
 - Burglary
 - Arson



SURPRISE

ARIZONA



Surprise Police Department

The Transition to National Incident Based Reporting System

NIBRS

- Created in March 1988 by the IACP and the NSA's committees who were involved with the Advisory Policy Board (APB) of the FBI's CJIS Division to allow for expanded and enhanced data collection to meet Law Enforcement needs in the 21st century

Purpose for transition to National Incident Based Reporting System

NIBRS

- Data Collected
 - Improve overall quality of crime data
 - Captures greater details on each single crime incident
 - Collects data on more types of offenses
 - Provides detailed demographic information on both victims and offenders
 - Collects other information, including victim injury, type of weapon involved, alcohol or drug involvement, property loss, & drugs seized
- NIBRS compliance deadline January 1, 2021



UCR Summary vs NIBRS

UCR (Summary Uniform Crime Reporting)

Hierarchy Rule (most serious offense)

Does not distinguish between attempted/completed

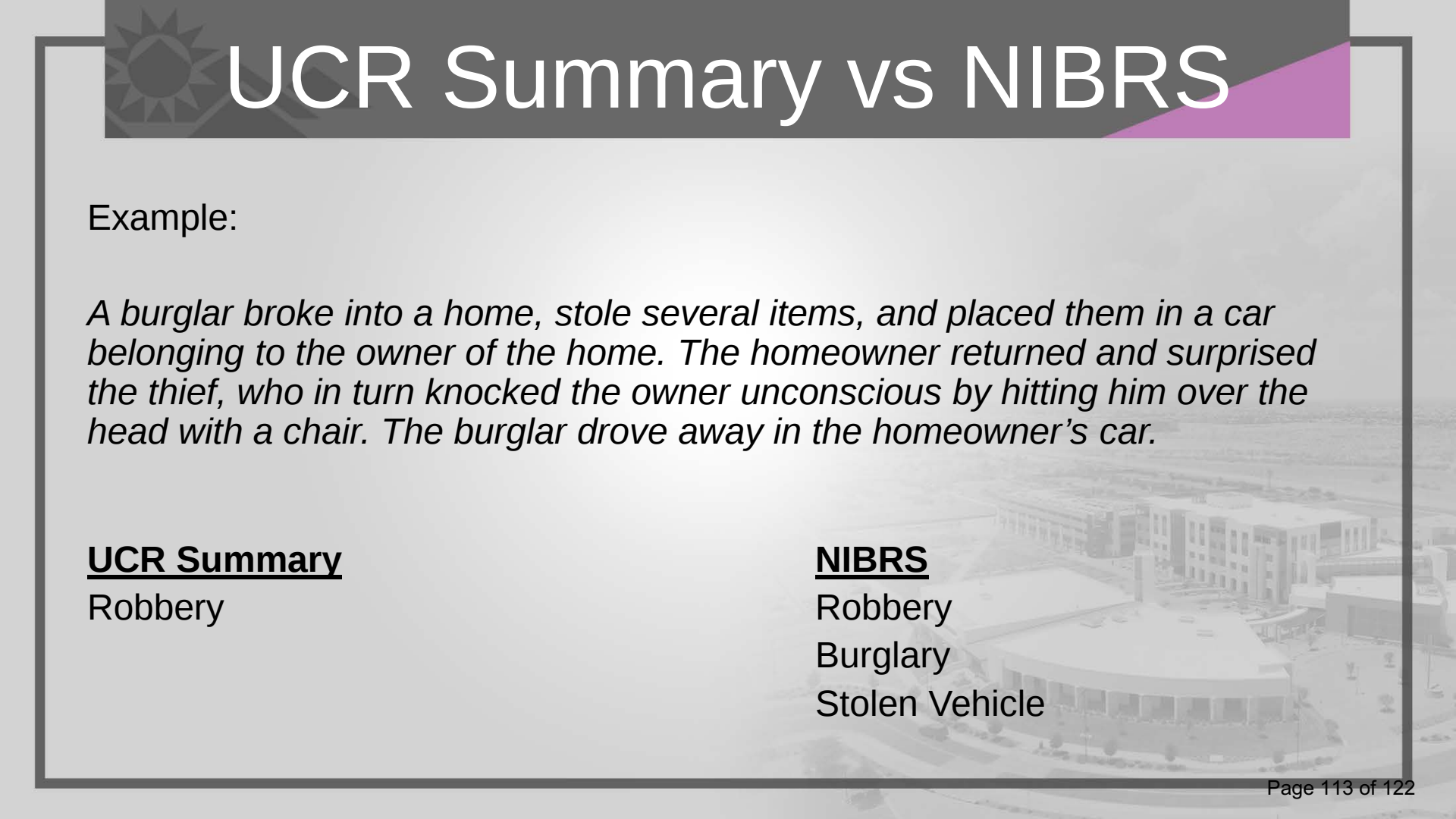
Records only rapes of females

NIBRS (National Incident Based Reporting System)

Hierarchy Rule does not apply
10 Offenses per incident

Distinguishes between attempted and completed

Records rape data regardless of gender



UCR Summary vs NIBRS

Example:

A burglar broke into a home, stole several items, and placed them in a car belonging to the owner of the home. The homeowner returned and surprised the thief, who in turn knocked the owner unconscious by hitting him over the head with a chair. The burglar drove away in the homeowner's car.

UCR Summary

Robbery

NIBRS

Robbery

Burglary

Stolen Vehicle



Community Education

- Post information/notification via our website, social media and media partners regarding these changes
- HOA/Community Meetings
- Will continue to capture data under the Summary system for 24 months for comparison purposes to previous years

Conclusion

- NIBRS provides more detailed information about the offenses that occurred during the commission of a crime
- Crime statistics will appear to increase due to the new reporting requirements
- Important to create awareness and educate our community members regarding this change



SURPRISE
ARIZONA

QUESTIONS?

Thank You



CITY OF SURPRISE
Regular City Council Work Session

Council Meeting Date: November 2, 2020
Submitting Department: Public Works
Staff Recommendations: None

Contact Person: Jeff Martin, Kristin Tytler
District: Citywide

Consent: No Regular: No Public Hearing: No Report/Discussion: Yes

Agenda Wording:

Presentation and discussion pertaining to the upcoming budget amendment to transfer budget dollars associated with the Police Training Center Project P31020 to the Public Safety Evidence Readiness Center (PSERC) project budget P31030.

Motion:

Presentation and discussion.

Background:

This item is for presentation only to inform Council on the upcoming budget amendment.

Objective Analysis:

The Public Works Department periodically presents to Mayor and Council the status of project budgets.

Policy Compliant:

This item is policy compliant.

Financial Impact:

None at this time, however, topics discussed in this work session could lead to future actions, which may have a fiscal impact on city operations.

Budget Impact:

All presented CIP projects are fully funded and are currently programmed.

FTE Impact:

This item does not change the full time equivalent count.

ATTACHMENTS:

1. 2020.11_PSERC Work Session
-



Public Safety Evidence & Readiness Center Budget Adjustment

November 2, 2020
Work Session



Public Safety GO BOND Projects

Budget Transfer:

Transfer \$693,900 from P31020 Police Training Center to P31030 Public Safety Evidence & Readiness Center

Public Safety Evidence & Readiness Center

- 2017 Bond Estimate \$9 Million
- Estimated Project Cost \$9.7 Million

Police Training Center

- 2017 Bond Estimate \$1.9 Million
- Estimated Project Cost \$1.2 Million

The Construction Market

2016	2017	2018	2019	2020 YTD
Project Budgets Established	Bond Election		Design	Construction
	Steel +11.7%	Steel +12.7%	Steel +11.8%	Steel -2.9%
	+27% Asphalt	+33.6% Asphalt	+22.7% Asphalt	+5.2% Asphalt
	+4.6% Concrete	+2.5% Concrete	+2.6% Concrete	+2.4% Concrete
		33% Labor cost increase		+82% Lumber
				COVID-19

Public Safety GO BOND Projects

2017 GO Bond Question #1 Public Safety \$34 Million

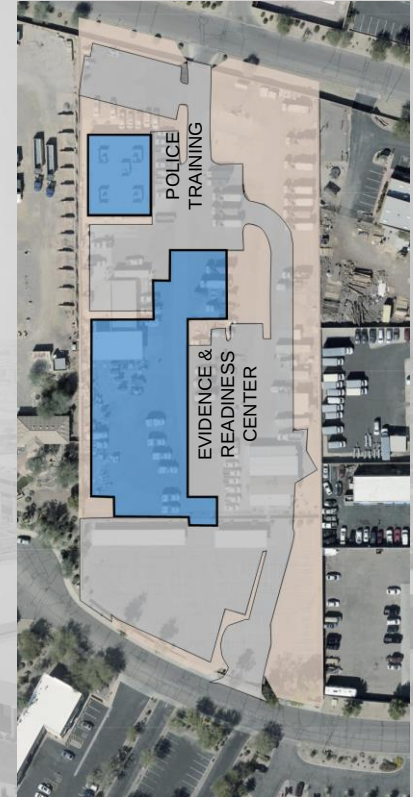
- Permanent Fire Station 304
- Fire Station 308
- Land for Future Fire/PD Station & Park
- Public Works Operations Facility

Public Safety Evidence & Readiness Center

- Shared Police and Fire Facility
- 2017 Bond Estimate \$9 million

Police Training Center

- Site location efficiencies (combined site and construction)
- 2017 Bond Estimate \$1.9 million
- Budget Transfer





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QUESTIONS OR COMMENTS?

Thank You