



Requesting Department:  
Development Services

**TO:** Planning and Zoning Commission

**THRU:** Brett Burningham, Development Services Director

**FROM:** Erik Swanson, Principal Planner  
Kyle Barichello, Planner II

**RE:** Public Hearing and Possible Action on P19-0036 ZONING ORDINANCE TEXT AMENDMENTS, a request for Zoning Ordinance Text Amendments addressing Industrial Design Guidelines, Conditional Use Permits, Administrative Review for Site Plans, and general code corrections.

**DATE:** April 10, 2019

**STAFF RECOMMENDATION**

Staff recommends approval of P19-0036 ZONING ORDINANCE TEXT AMENDMENTS.

**PROPOSED MOTION**

Move to recommend approval of P19-0036 ZONING ORDINANCE TEXT AMENDMENTS.

**RELEVANT COUNCIL GOAL**



Effective Government

**SUMMARY**

As presented at the March 13, 2019, Planning Commission Study Session, Planning Staff is proposing a series of Zoning Ordinance Text Amendments based on direction provided by the Town Council, changes in State law, and to make the Zoning Ordinance a more efficient tool for development in the Town. The amendments provided below are the first in a series that will be presented to the Planning Commission and Council throughout the year.

This first round of amendments include the creation of Industrial Design Guidelines, modifications in the application and hearing process of Conditional Use Permits, increasing the size of parcels allowed

for site plan administrative review by Planning Staff from five (5) net acres up to ten (10) net acres, and general clean-up items due to scrivener's errors.

**AMENDMENTS**

**Industrial Design Guidelines**

The Industrial Design Guidelines proposed ensure that development occurs in an orderly fashion and consistent with the high-level of design that is provided throughout all development types within the Town. Currently the Town has design standards for single and multi-family residential, and commercial development. The proposed guidelines provide a general foundation of how industrial development should occur. Components included with this text amendment consist of defining architectural design, site layout for safe and efficient vehicular circulation, screening of storage areas from public view and mechanical equipment, and ensuring a safe pedestrian environment.

Planning Staff circulated the proposed design guidelines with the Town's Economic Development Staff for review and to share with contacts within the development community, in addition to seven developers within the industrial community, and five land-use attorneys. Staff has received comments from two developers, and one attorney. Comments were supportive of the design guidelines, however, provided suggestions addressing the differences between flex industrial, manufacturing, and distribution/warehouse developments, seeking understanding that application of design standards should be based on the type of development. Planning Staff has provided these guidelines as a prescriptive measure in ensuring quality development standards versus a descriptive approach. Planning Staff has reviewed the comments and provided changes based on input received.

**Conditional Use Permits**

The Town Council is cognizant that the zoning and building permit approval timeline are important factors when developers consider constructing within the Town. To this end, Town Council directed Planning Staff to examine areas where timelines may be reduced to encourage growth and to provide services to the community more expeditiously. The amendment delegates the review of drive-thru restaurants and banks within the C-1, C-2, and C-3 zoning districts for staff review. Currently, the Zoning Ordinance allows these types of uses within all commercial zoning districts with Conditional Use Permits, where the CUP is used as a means to ensure requests can be further examined to guarantee compatibility with the surrounding community. The Zoning Ordinance currently requires that all drive-thru uses (termed as "in-service vehicle uses") meet a number of design criteria including: drive aisle width, the location of menu boards, the amount of vehicular stacking, etc. as a means to ensure the proposed use is compatible with the surrounding area. All requirements addressing design and integration of drive-thrus within the broader context of commercial centers and adjacent uses as outlined in the Zoning Ordinance will remain. This amendment will not affect quick lube, carwashes, fuel stations, liquor stores, and similar uses, as Conditional Use Permits will remain a requirement.

**Site Plan Review Size Requirements**

This amendment is proposed at the direction of Town Council to provide additional opportunities to expedite development processes. The proposed amendment will allow site plans up to ten (10) net acres in size to be reviewed and approved administratively by Planning Staff; the current Zoning Ordinance

allows for administrative review and approval by Planning Staff for sites up to five (5) acres in area. It is important to note that language exists within the code that allows the Council to require a site plan to be reviewed and approved by the Council within twenty (20) calendar days of final approval in the event additional considerations are necessary. Planning Staff is recommending the review timeframe be reduced to ten (10) calendar days. No changes to design standards and requirements are proposed.

### **Text Clean-up**

A variety of clean-up items are proposed addressing definitions, adding clarifying language, fixing scrivener's errors, and amending the code where above code requirements are being modified. Planning Staff is also recommending modifications to the Permitted Use Table reflecting a combination of prior scrivener's errors as well as expanding on permitted uses within a particular zoning district. Below are a number of textual modifications.

#### Article 1, Sections 1.14: Definitions

- Clarify, add, and delete language relating to definitions

#### Article 3, Sections 3.6.5. (e).2-6: Temporary Use

- Add clarifying language to paragraph

#### Article 4, Sections 4.7-3: Dimensional Standards Table

- Revise "Note" reference to clarify buffer standards

#### Article 6, Section 6.2.A.3: Animal Regulations

- Fix scrivener's error by removing incorrect language

#### Article 6, Sections 6.C: Accessory Buildings and Uses

- Fix scrivener's error by removing incorrect language

#### Other

- Clarify "nonconforming" vs. "non-conforming" for language search consistency

## **ATTACHMENTS**

1. Industrial Design Guidelines with recommended modifications
2. Zoning Code Text Amendment addressing Section 6.5 *In-Vehicle Service Facilities*
3. Zoning Code Text Amendment addressing Article 3, Section 3.3.D *Approval Procedures*
4. Updated Article 4, Table 4.6-1 *Permitted Uses*

## DS.7 Industrial Standards

A. *Purpose.* The purpose of these guidelines is:

1. To serve as a guide to property owners, developers, architects, design professionals, and others in understanding the Town's objective of providing for well-designed attractive, quality industrial development **while recognizing the differences between the variety of industrial developments that may occur throughout the Town.**
2. To serve as a guide for the Town to evaluate the architectural design of buildings within industrial projects;
3. To identify key architecture and site design elements that are important to the Town;
4. To ensure successful integration of the safe, well-designed development into the community;
5. To protect the character of existing nearby neighborhoods;
6. To promote compatibility between industrial development and adjacent commercial and residential uses;
7. To enhance the quality of industrial development in the Town;
8. Ensure walkability within the project and connections to adjacent developments, **by means of safe pedestrian access along street frontages.**

B. *Applicability.* These guidelines are applicable to all new industrial development in the Town, alteration to the exterior of an existing building and reconstruction of existing structures.

C. *General Design Guidelines.*

1. *Site Layout.* Architecture and site design are predominant features and thus must be carefully designed to ~~create a small town appearance and to be pedestrian friendly while ensuring~~ **ensure** compatibility with surrounding land uses.
  - a. All building elevations which face a public street or are adjacent to residential uses or residential zoning districts shall be non-reflective and shall not create glare, use metal or corrugated metal as a primary material. Where metal is used, appropriate treatment of the metal shall be used to reduce glare and reflectivity.
  - b. All buildings shall incorporate a variety of massing and building heights, and stepping roof lines **to reduce the appearance of long expanses of flat roof lines.**
  - c. Projects adjacent to existing and proposed residential uses shall consider appropriate buffering, setbacks, heights variations, and building massing to reduce visual impact.
  - d. Shade trees, trellis structures, canopies, and similar design features shall be used at **specific areas designed for pedestrian congregation.** ~~areas.~~
  - e. A reduction of the "heat island" effect should be mitigated by increasing shaded areas throughout **employee and customer** parking lots.

f. For mixed-use projects that include commercial land uses, a campus environment shall be provided.

## 2. *Entry Character*

a. Entry and office areas shall portray a quality appearance, relate visually to the rest of the building in terms of design and proportion, and should not appear as an add-on or unrelated element.

b. Building entry and office areas shall be visually distinct and have a pedestrian orientation.

c. Building entries and office areas should face and be oriented toward the street and incorporate window elements as a dominant feature.

d. Building entrances shall be prominently featured and shall be accentuated through the design of the building. Additional highlighting of entries should also be provided through various architectural enhancements. This may include, but are not limited to:

- i. Changes in materials and textures;
- ii. Recessed entries;
- iii. Windows;
- iv. Use of columns or colonnades;
- v. Arcades;
- vi. The use of bollards and other similar accent details;

vii. Provision of plaza, courts, fountains, seating areas or similar pedestrian oriented details;

viii. Enhanced pedestrian and landscaping design and materials;

~~ix. Freestanding or attached entry structures provided they are compatible with and related to the building architecture and do not look like an add-on or unrelated element.~~

## 3. *Relationship of Buildings and Site to Adjoining Area.*

a. Proposed buildings and sites ~~shall~~ **should** provide screens, sight breaks, and materials comparable to or better than existing adjacent buildings and sites to ~~enhance~~ **ensure** compatibility.

b. Landscape transitions to adjoining and developed non-industrial properties shall be provided.

~~e. Harmony in texture, lines and masses is required. Monotony shall be avoided.~~

## 4. *Lighting Requirements.*

a. Security lighting that is both effective and attractive to promote a safe and secure facility shall be provided.

b. Outdoor lighting fixture placement should be placed to provide the best illumination in active areas such as parking lots, shipping and receiving, pedestrian walkways, employee amenities, and work areas.

- c. The design of lighting fixtures and their structural support should be of a scale and architectural design compatible with on-site buildings. A lighting fixture standard theme should be provided throughout planned industrial parks.
  - d. The location, height and design of light fixtures should correspond to anticipated use. Lighting of pedestrian paths with bollards and generally smaller fixtures at a human scale is encouraged for use in illuminating changes in grade, steps, path intersections, seating areas and any other features along a movement path which, if left unlighted, would create an unsafe situation (See Article 5 of the Zoning Ordinance (Lighting) for additional information).
  - e. The use of lighting to provide night time interest to the site and highlight architectural features is encouraged. Lighting an entire building or major portion of a building is discouraged. Night lighting of buildings may be used to highlight special building features, emphasize repeated or decorative elements, and use the combination of light and shadow to articulate the building facade. However, lighting that provides for the complete, undifferentiated illumination of a façade with bright light shall be avoided.
  - f. Parking lot or building lighting shall be shielded when adjacent to residential property and shall conform to the Town's Zoning Ordinance.
  - g. See Article 5 of the Zoning Ordinance for additional design standards.
5. *Building Architecture and Design.*
- a. Buildings within the same planned business park shall be designed to provide a clear, unified, and easily identifiable image. Methods to achieve this include using similar architectural styles and materials, complementary roof forms, signs, colors, and decorative pavement.
  - b. Consistent architectural style shall be used for a building and the site elements that relate to it (i.e. screen walls, planters, trellises, benches).
  - c. Long, unbroken building wall planes are prohibited. Wall planes with varied setbacks shall be provided to give visual interest from adjacent public view. Facades should be articulated to provide a visual effect that is consistent with the character and scale of the area.
  - d. Large manufacturing or warehouse building walls shall be articulated through the use of height variations, texture, color, material changes, shadow lines and other facade treatments.
  - e. Pre-cast and tilt-up walls shall incorporate reveals, recessed panels, recessed windows, molding, and other architectural features to articulate the building exterior. All concrete pre-cast/tilt-up buildings should be designed to have an exterior appearance of conventional built structures utilizing surface

- treatments such as stucco, plaster, glass, stone, brick, or decorative masonry.
- f. Exterior roof drains shall be internalized or architecturally integrated into the design of the building.
  - g. Enclosed service/refuse areas and covered parking shall be designed to be an integral part of the building architecture. The forms, colors, textures and materials used on the main building should be applied to all sides of these structures when visible to the public.
  - h. Ladders for roof access shall be mounted on the inside of the building where they will not be visible from public view.
  - i. Doors and windows should appear substantial and should not be flush with the exterior finish. Doors and windows should be inset at least 2-3 inches from the front face of the exterior finish.
  - j. **Energy efficiencies should be incorporated into the design of all new buildings.** The following measures that promote environmental sensitivity and potential long-term cost savings are offered for consideration:
    - i. Orient and design new structures and additions for minimum solar gain, reflectivity and glare, and to achieve an optimum level of energy efficiency;
    - ii. Shelter entries and windows and use architectural shading devices and landscaping to minimize cooling losses;
    - iii. Use energy efficient materials in doors and windows;
    - iv. Use energy efficient lighting;
    - v. Mitigate urban heat island effects with cool roofing materials, shade trees and cool paving materials;
    - vi. Reference national programs for environmentally sensitive development methods such as Leadership in Energy & Environmental Design (LEED), International Energy Conservation Code (IECC) and Energy Star Labeled Buildings; and,
    - vii. Consider the integration of solar panels on roofs and parking lot shade structures.

### *7. Building Walls.*

- a. When massing breaks, material changes, or other enhancements occur at the corner of a building that is visible from public view, the treatment should be wrapped around the corner to provide a finished appearance to the corner element.
- b. Long flat, unarticulated, building facades along streets, freeways and other areas visible to public view is prohibited. The staggering of planes along an exterior wall elevation shall be incorporated to create

~~pockets of light and shadow, and to~~ provide relief from monotonous, interrupted expanses of wall. Below are examples of some techniques that can be used to address this issue:

- i. Changes in texture, materials or color (color shall not be used as the exclusive method);
  - ii. Revealed pilaster and other reveals;
  - iii. Changes in plane, including building offsets (2 foot minimum);
  - iv. Ornamental metal canopies, and/or grillwork;
  - v. Recessed windows and other recesses, or other glazing techniques;
  - vi. Raised landscape planters, formal landscape design used to augment architectural elements
  - vii. Recessed or projecting vertical column treatments.
- c. Architectural enhancements should extend to upper portions of building walls that are visible from public view. This provision includes the upper area of walls where the lower portions may be concealed by screen walls associated with loading areas and outdoor storage areas.
- d. Facades having a recognizable “base” feature are encouraged. The base feature should be high enough to relate in proportion to the scale of the building.

Examples of techniques that can be used are as follows:

- i. Richly textured materials (i.e. tile or masonry treatments), panels, reveals, **and steel**;
- ii. Materials and colors (color stripes are not acceptable as the sole treatment), and/or;
- iii. Raised planters and other forms of enriched landscaping.

#### *8. Roof Elements.*

- a. Roofs shall be integral to the architectural theme of buildings. Rooflines should include appropriate variations to avoid long, continuous planes. A full pitched roof over an entire industrial building is not realistic. However, where feasible and appropriate to the architectural style for the building, a pitched roof element should be provided over the entry and/or office portion(s) of the structure and/or the corners of the structure.
- b. The rooflines of buildings should consider the design of rooflines of preceding and future buildings. Roof lines may be used to help delineate building entries, introduce additional shapes, angles and shadows, and add visual relief to the tops of buildings, but should also be designed as an integral component of the form of the building, its mass and facade.
- c. Roof mounted mechanical equipment shall not exceed the height of the roof parapet or other architectural features so as to be completely screened from view. **In instances where mechanical**



equipment must exceed parapet height proper screening shall be provided to ensure architectural integration.

d. Brightly-colored and highly reflective roof surfaces (including unpainted galvanized metal roofing) that is visible from public view is prohibited.

9. *Building Materials/Color.* To maintain a sense of continuity among materials and colors used throughout the Town, while also providing a distinct identity to each development and allowing for expression of individual businesses.

a. Attractive, durable, quality materials shall be used. Predominant exterior building materials shall be of high quality, energy efficient, and durable. These including, but are not limited to:

- i. Brick;
- ii. Stone (natural or faux);
- iii. Integral color, sand blasted or stained textured masonry;
- iv. Split-face or scored concrete masonry units;
- v. Textured tilt-up concrete panels;
- vi. Stucco/EFIS;
- vii. Metal roofs;
- viii. Concrete and clay tile roofs.
- ix. Light colored or reflective “cool roofs” (when not visible from public view);

x. Clear and tinted glass;

xi. Architectural metal; and,

xii. Prefabricated steel panels and corrugated metal where architecturally integrated.

b. The use of decorative masonry/block such as split face or slump block shall not be used as a primary building material, unless substantial articulation and detail is provided.

c. The use of various building material (i.e. masonry, concrete texturing, cement, plaster, etc.) to produce effects of texture and relief that provide architectural interest are encouraged.

d. Material changes should not occur at external corners of offsets along a building facade. Material changes should occur at “reverse” or interior corners or as a “return” to a natural break in building massing, with a minimum distance of four (4) feet.

e. Materials should be chosen to withstand abuse by vandals or accidental damage by machinery. False facades and other simulated materials and ornamentation are discouraged. High maintenance materials such as stained wood, clapboard, or shingles are prohibited.

f. Metal buildings shall be architecturally treated on all four exterior sides of the building. If utilized, metal buildings shall employ a variety of building forms, materials, colors and other architectural treatments to add visual interest. Exterior materials should include stucco,

plaster, glass, stone, brick, or decorative masonry.

- g. In business parks where a number of buildings are proposed, light, neutral colors shall be used on dominant wall planes to help reduce their perceived size. Contrasting trim and color bands or other similar design features that break up the vertical monotony is required.
- h. The use of compatible colors in a single facade or composition is required. Compatible colors add interest and variety while reducing building scale and breaking up plain walls.
- i. For larger building surfaces, colors should be muted and subdued. Deeper colors may be used for accenting. Bright colors, and unusual patterns and/or schemes are prohibited.
- j. All colors and or surfaces shall not exceed a light reflectance value (LRV) of 60%, unless otherwise approved by the Planning Administrator.

#### 10. Open Space.

- a. For open space requirements, refer to Section 5.4 of the Zoning Ordinance.
- b. Where possible, private open space and common open space should be designed to create a sense of place and should be used as opportunities to allow for gathering areas.
- c. Industrial development by its nature functions differently. Open space areas for business parks will function differently than warehousing, distribution, or manufacturing uses.

Open space used for gathering areas shall be designed to as to provide a safe and convenient area for employees and visitors. It is not the intention of these design standards to ensure that all open space areas provide a pedestrian scale functional design.

#### 11. Site Access.

- a. Industrial developments should be marked by entry features such as monument signs, decorative paving, special lighting, public art, enhanced landscaping, etc.
- b. Business parks shall be designed in consideration of ~~employees and other pedestrians~~. Pedestrian access, amenities, and safe circulation shall be incorporated into the overall site design.
- c. A continuation of pedestrian access should be provided when industrial developments are located adjacent to existing or planned open space. Where employment areas adjoin existing or proposed public transit routes, shaded, safe, well-lighted and aesthetically pleasing connections to bus stop locations should be provided, and bus "pull-outs" should be incorporated where appropriate.

#### 12. Parking and Vehicle Circulation.

- a. The parking lot shall not be the dominant visual element of a development as viewed from the street or other public area. Large parking areas directly in front of the building are discouraged, unless paved areas are broken up into smaller areas through

- the use of extensive landscaping, decorative paving, pedestrian walkways, garden walls, elevation changes or similar design features.
- b. Parking areas and drive aisles shall be configured so that they minimize conflicts with loading and truck maneuvering activities. Customer parking areas, including a portion of stalls provided for the disabled, shall be placed near the main public entry and outside of loading and yard areas where appropriate.
  - c. Adequate room is needed for trucks to maneuver and queue to unload. Dock-high loading doors should have a minimum clear area of 120 feet from the door to provide adequate truck maneuvering. Smaller areas may be considered in special cases if it can be shown on the site plan that adequate maneuvering areas and turning radii can be achieved.
  - d. The use of public streets for truck staging and queuing is prohibited.
  - e. Required parking stalls and drive aisles must be used exclusively for vehicle parking and circulation, remain unobstructed and cannot be used as areas for trailer storage, truck maneuvering (except drive aisles), outdoor storage or other outdoor activities.
  - f. Parking adjacent to and visible from public view shall be screened from view through the use of earth berms, low screen walls, changes in elevation, landscaping or combinations thereof.
  - g. Parking lots shall include landscaping that accents the importance of driveways from the street, frames the major circulation aisles, and highlights pedestrian pathways.
  - h. Canopy trees and other forms of landscaping in employee and customer parking lots shall be used to break up the scale of large parking lots, provide additional shading and reduce “heat island” impacts.
  - i. For employee and customer parking areas interior planting island fingers between parking spaces, at every twelve (12) parking spaces shall be provided, to avoid long rows of non-shaded parked cars. The planting islands shall be a minimum of ten (10) feet by twenty (20) feet and be protected by a six-inch high curb on all sides.
  - j. Once on site, vehicles should not be required to exit onto the street in order to move from one parking area to another on the same site. The use of reciprocal (common) driveways to provide access to two or more buildings is strongly encouraged.
- 13. Utilities and Mechanical Equipment.*
- a. Mechanical equipment, electrical meter and service components, and similar utility devices whether ground level, wall mounted, or roof mounted, shall be screened and designed to appear as an integral part of the building, unless otherwise required by the building code and approved by the Planning Administrator.

#### 14. Signage.

- a. Every structure and industrial development shall be designed with a precise concept for signage. Provisions for sign placement, sign scale in relationship with building height, and sign readability shall be considered in developing the signage concept. All signage shall be compatible with the building architecture and site design relative to color, material and placement.
- b. Monument signs are the preferred method for business identification whenever possible. Where several tenants occupy the same site, individual wall mounted signs are appropriate in combination with a monument sign identifying the development and address.
- c. The use of backlit individually cut letter signs is strongly encouraged in order to create an attractive sign theme. Wall painted signs and murals are prohibited, except when utilized for public art purposes.
- d. Each development site shall be appropriately signed to give directions to loading and receiving areas, visitor parking and other special areas.
- e. Refer to Article 7 of the Town of Queen Creek Zoning Ordinance for area, size, and location regulations.

#### 15. Loading and Outdoor Storage.

- a. Loading and outdoor storage areas should be located to the rear or sides of buildings and must ~~not be visible~~ be

screened from public view. Building mass is the preferred method for screening loading areas and outdoor storage areas. Where building mass is not utilized, a combination of screen walls, berms, landscaping and elevation changes shall be used to screen loading areas and outdoor storage areas from public view.

- b. In cases where a building is adjacent to both a street and a freeway, loading and outdoor storage areas should be located in side yard areas. Screening from both the freeway and the street should be accomplished through the use of dense landscaping and screen walls or other methods that provide for effective screening. In situations where screen walls are ineffective due to grade differences between the site and the adjacent freeway, dense tree plantings shall be provided in a landscaped planter area with a minimum width of ten (10) feet. Greater width may be required if necessary to provide adequate screening.
- c. Any outdoor storage material height shall be limited to the maximum height of the adjacent screen wall **when visible from public view**, and should be located at least one-hundred (100) feet from street rights-of-way, **unless stored behind a wall and completely screened from view**.
- d. Sliding gates into loading areas visible from the street should be constructed of durable material and shall ensure that activities within the loading areas area screened from view. Construction shall be durable material and may

consist of wrought iron or tubular steel and high-density perforated metal screening. The gate shall be architecturally integrated to match or complement adjacent walls and/or building architecture.

- e. Where cargo and other storage containers are utilized on a recurring basis they shall be fully screened from public view.
- f. Silos, tanks, and other ancillary structures that are permitted within the zoning district shall be painted to match the primary buildings on site.
- g. If more than two dock-high loading doors are provided, then trailer storage spaces are to be provided at the rate of one space per four loading doors. Trailer storage spaces shall have minimum dimensions of twelve (12) feet by forty-five (45) feet and should be located away from public view.
- h. Bay doors and high activity areas should be located away from residential areas. The design of overhead doors should also minimize noise through devices such as rubber seals and/or other sound dampening features.
- i. Fixed hardware for rolling doors shall be located on the inside of buildings.
- j. The use of barbed wire, razor wire, and similar fencing/security materials is prohibited.
- k. Service areas, loading and storage areas, and refuse enclosures shall be

oriented away from public street frontages or screened from public view.

- l. Trash containers shall be located within a decorative masonry wall enclosure with gates. The enclosure materials shall be designed to match the architectural design features of the development. The trash enclosures shall also be buffered by landscaping when within public view. Trash containers are not required to be located within a walled enclosure when they are located behind screened areas and are not visible from public view.
- m. Perimeter screen walls are allowed at six-feet (6) in height at the side and rear property lines. Additional height of screen walls with a maximum height of ten (10) feet may be considered by the Planning Administrator with additional design features. Walls shall be designed to minimize their visual impact through material change, material color, and vertical and horizontal plane changes **and shall be architecturally commensurate with the building architecture**. Walls are not permitted in front of the front wall plane, with the exception of parking screen walls.

## ARTICLE 6 – SUPPLEMENTAL USE REGULATIONS

attached to the building or placed in a window;

5. Full-time home resident is the business operator;
6. Only one (1) non-resident employee is allowed on lots zoned R1-35 and larger;
7. The home is not to be used as a location for the assembly of employees for instruction or dispatch to other locations;
8. Five (5) or fewer clients per day. Customer hours between 8:00 a.m. and 6:00 p.m.;
9. Music, art, sports, or similar lessons: Five (5) or fewer clients per day;
10. Storage of all products and use of all equipment, and materials shall be done within an enclosed building;
11. No hazardous equipment or hazardous or toxic chemicals or materials shall be kept at the property;
12. Parking shall be provided only on the driveway or in the garage/carport and shall not create hazards or street congestion. Overnight on-street parking is not permitted;
13. Storage of goods and materials shall be inside and shall not include flammable, combustible or explosive materials;
14. Outside storage of heavy equipment or materials shall be prohibited; and,
15. No generation of dust, odors, noise, vibration or electrical interference or fluctuation shall be perceptible beyond the property line.
16. Home Day Care:
  - a. Six (6) or fewer children per day allowed in all zoning districts.
  - b. Up to twelve (12) children per day allowed in R1-35 and larger zoning districts.

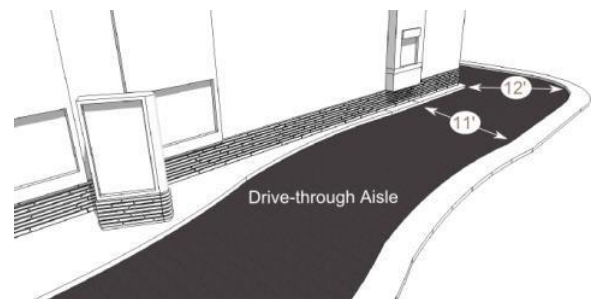
### 6.5 In-Vehicle Service Facilities

- A. *Description.* In-vehicle sales and service uses include all uses which perform sales and / or services in vehicles, or to vehicles which may be occupied at the time of such activity. Such uses often have traffic volumes which exhibits their highest levels concurrent peak traffic flows on adjacent roads. Examples of such land uses include drive-in, drive-up, and drive-through facilities, vehicular fuel stations, and car washes. If performed in conjunction with a principal use, in-vehicle sales and service land uses shall considered accessory.
- B. *Performance Standards.* ~~All in-vehicle services facilities are subject to a conditional use permit review procedure.~~

~~1. Establishments providing in-vehicle service facilities may be permitted in the C-2 and Town Center districts only.~~

~~2. Pedestrian walkways should not intersect the drive-through drive aisles, but where they do, they shall have clear visibility, and they must be emphasized by enriched paving, such as products to similar to boomanite, stone, etc.)~~

~~3. Drive-through aisles shall have a minimum twelve foot (12') width on curves and a minimum eleven foot (11') width on straight sections.~~



~~4. *Vehicle Stacking.* Drive-through lanes for all restaurants shall provide at least 160 total feet of stacking distance (80 feet of stacking distance between pick-up windows and order-placing speakers, and at least 80 feet of stacking distance between order-placing speakers and the entry to the drive-through lane).~~



## ARTICLE 6 – SUPPLEMENTAL USE REGULATIONS

Distances shall be measured along the centerline of the drive-through lane. Vehicle stacking for all other businesses with drive-through lanes (i.e. banks, car washes, pharmacies, etc.) shall be determined at the time of site planning. For redevelopment areas or unique properties an alternative standard may be approved by the Planning Administrator.

- ~~5.~~ Landscaping shall screen drive-through or drive-in aisles, payment, and pick-up windows from the public right-of-way and shall be used to minimize the visual impact of menu boards, and directional signs.



- ~~6.~~ The building shall be the main element of the overall site plan, and parking shall be oriented on the side or rear of the site.
- ~~7.~~ Menu boards shall comply with Section 7.2.L of this Ordinance.
- ~~8.~~ Drive-through uses within an integrated shopping center shall have an architectural style consistent with the theme established in the center. The architecture of any drive-through use must provide compatibility with surrounding uses in form, materials, colors, scale, etc. Structure plans shall

have variation in depth and angle to create a variety and interest in its basic form and silhouette. Articulation of structure surfaces shall be encouraged through the use of opening and recesses, which create texture and shadow patterns. Structure entrances shall be well articulated and project a formal entrance through variation of architectural planes, pavement surface treatment and landscaping plaza.

- ~~9.~~ No drive-through aisles shall exit directly onto a public right-of-way.

### C. Internal Circulation Requirements.

- ~~1.~~ A traffic study shall be submitted to the Town along with the required application packet. The traffic study shall address the following issues:

- a. Nature of product or service being provided;
- b. Method by which the order is being processed;
- c. Time required to serve a typical customer;
- d. Arrival rate of customers;
- e. Peak demand hour;
- f. Anticipated vehicular stacking required; and,
- g. Location of the storage of loading area with respect to parking spaces of circulation aisles.

- ~~2.~~ Traffic study shall include a scaled drawing delineating all parking spaces, circulation facilities, driveways and nearest public street.

- ~~3.~~ Each drive-through lane shall be designed to prevent circulation congestion, both on-site and on adjacent public and private streets and access ways.

- ~~4.~~ The stacking lanes for drive-thru facilities should not cross or pass through off-

## ARTICLE 6 – SUPPLEMENTAL USE REGULATIONS

street parking areas nor cross or be crossed by pedestrian access ways.

- D. *Elevations.* Elevations for all sides shall be submitted along with the application packet.
- E. *Refuse Disposal Areas.* Refuse disposal areas shall be located to the rear of the site and screened with a decorative masonry wall and gate matching the main building architecture.
- F. *Noise Related Impacts.* Any in-vehicle service facility shall not be allowed to emit audible noise greater than forty-five (45) decibels (dBA) beyond the property line when adjacent to any residential zoning district. When abutting any residential zone or use, all in-vehicle service facilities with noise generating equipment must document in advance that the facility will meet the above noise standards. Noise generating equipment includes items such as music, buzzers, speakers, mechanical car washes, vacuum cleaners, and exterior air compressors, etc.

### 6.6 Massage Establishments

- A. *Purpose.* The Town Council hereby finds and determines that massage parlors can, if not regulated properly, serve as covers for lewd or illegal conduct which can produce secondary impacts on surrounding neighborhoods, crimes such as prostitution and money laundering, and a reduction in property values. The Town Council further finds that massage establishments which are properly regulated can operate in a manner compatible with surrounding issues. The standards established herein are designed to ensure that:

- 1- The massage establishment is operated for the legitimate purpose of massage therapy and not as a front for prostitution, money laundering, or other crimes;
- 2- The massage establishment does not become a de facto sexually oriented business without the proper licensing;

3- The massage establishment is clean and sanitary, and accordingly, does not become a blighting influence on the neighborhood; and,

4- The areas in which massage activities occur are adequately lighted and open so as to permit inspection for compliance with the provisions of this Ordinance.

- B. *Location.* A massage establishment may be located in any zoning district where permitted as a primary use, and as an accessory use to any medical or chiropractic office, athlete club, health club, gymnasium, reducing salon, spa, or hotel, subject to the following reasons:

1- Where permitted as a primary use, no massage establishment shall be located within:

- a. Five-hundred feet (500') of a public or private school, park, playground, civic center, cultural, site, or church site; or,
- b. Within five-hundred feet (500') of another massage establishment.

2- Where permitted as an accessory use, the area if the massage establishment shall not exceed the lesser of:

- a. Twenty-five percent (25%) of the floor area of the primary use; or,
- b. Four-hundred (400) square feet.

- C. *Owner/Operator and Minimum Training.* No application for development approval shall be accepted to establish a massage establishment unless evidence is provided that the owner, operator, responsible managing employee, manager, or licensee in charge of or in control of any massage establishment, and any masseuse or masseur employed therein, has passed the National Certification Exam and has completed not less than five-hundred (500) hours of training by a school approved by the American Massage Therapy Association ("AMTA") Commission on Accreditation and Training. No massage shall be administered by any person who is not certified as a full member, in good standing, of AMTA. Proof of such



## ARTICLE 3 – ZONING PROCEDURES

- c. An application for change in the Official Zoning District classification (a "rezoning"), including any application for approval of a Planned Area Development (PAD).
  2. Site plans shall be reviewed and approved concurrently with the requirements of the Town of Queen Creek Design Standards. Design review submittal requirements shall conform to subsection 3.3.C below.
  3. Site plan review shall occur prior to issuance of a building or grading permit.
  4. Final Subdivision plats and residential architectural design shall be reviewed and approved concurrently. Submittal requirements shall conform to the Town of Queen Creek Subdivision Code and Design Standards.
- C. *Submittal Requirements.* The applicant shall submit to the Development Services Department a completed application as defined in the Town's application(s) and / or process guide(s), on file with the Town's Development Services Department. During the pre-application conference, the Planning Administrator or his or her designee shall inform the applicant of the appropriate minimum submittal standards required for the specific project. As a result of the agency and staff reviews, more information may be required. Therefore, it is incumbent upon the applicant to discuss the project with the applicable review agencies prior to submittal in order to avoid delays. Only complete submittals shall be accepted.
- D. *Approval Procedures.*
1. *Minor Site Plan.* Any proposed site less than or equal to ~~five~~ **ten (510) net** acres shall be considered a minor site plan and shall conform to the procedures below:
    - a. An application for approval of a site plan shall be submitted to the Development Services Department. The Department shall determine whether the application for site plan approval is complete, and shall submit a report as to compliance with this Ordinance and the application for site plan approval to the Planning Administrator;
    - b. If the site plan application is incomplete, the Department shall return it to the applicant with a statement of the reasons why the proposed site plan does not conform to the provisions as defined in the Town's application(s) and / or process guide(s), on file with the Town's Development Services Department;
    - c. If a use permitted by right is proposed, the Development Services Department shall submit a recommendation to the Planning Administrator. The Planning Administrator shall approve the site plan, approve the site plan with conditions, or deny the site plan; and,
    - d. If a conditional use, rezoning, or PAD is proposed and accompanies the minor site plan application for review, the application shall follow the procedures as set forth by the conditional use, rezoning, and / or PAD procedures, as applicable.
    - e. Within ~~twenty~~ **ten (2010)** calendar days of final approval, minor site plan approvals may be appealed to a full hearing of the Town Council by two or more members of the Town Council or by the Town Mayor.
  2. *Major Site Plan.* Any proposed site greater than **ten 5 (10) net** acres shall be considered a major site plan and shall conform to the procedures below:
    - a. An application for approval of a site plan shall be submitted to the Planning Administrator. The Planning Administrator shall determine whether the application for site plan approval is complete, and shall submit a report as to compliance with this Ordinance and the application for site plan approval to the Planning Commission;
    - b. If the site plan application is incomplete, the Planning Administrator shall return it to the applicant with a statement of the reasons why the proposed site plan does not conform to

## ARTICLE 3 – ZONING PROCEDURES

the provisions as defined in the Town's application(s) and / or process guide(s), on file with the Town's Development Services Department;

- c. If a use permitted by right is proposed, the Planning Administrator shall submit a recommendation to the Planning Commission. The Planning Commission shall approve the site plan, approve the site plan with conditions, or deny the site plan; and,
- d. If a conditional use, rezoning, or PAD is proposed and accompanies the major site plan application for review, the application shall follow the procedures as set forth by the conditional use, rezoning, and / or PAD procedures, as applicable.
- E. *Appeals.* Any site plan approval, conditional approval and / or denial may be appealed to the Town Council by an aggrieved party, subject to the procedures set forth in Section 3.1.G of this Ordinance.
- F. *Deviations from Approved Site Plan.* Development activities subject to the requirements of this section may be carried out only in substantial conformance with the approved site plan and any conditions or restrictions attached thereto. Development activities may seek Administrative Relief per Section 3.2 of this Ordinance. Any substantial deviation from the approved site plan, unless approved in advance and in writing by the Planning Administrator, or Town Council as stated below or through Administrative Relief, shall be deemed a violation of this Ordinance. The Planning Administrator may direct that a new application to revise the approved site plan be filed. Furthermore, no certificate of occupancy shall be issued if said development activities do not conform to the approved site plan.
- G. *Revision of Approved Site Plan.* Any change or modifications to an approved Site Plan shall be considered an amendment to the Site Plan. For all Site Plan amendments, revised Site Plans incorporating the changes shall be submitted to the Development Services Department. Site

Plan amendments shall be classified as Major or Minor as below:

1. *Minor Revisions.* Any modification which, as determined by the Development Services Department, does not substantially change the approved site plan and the change/reduction is ten percent (10%) or less, shall be considered a Minor Site Plan Amendment. The Department shall consider changes such as minor dimensional building configuration and landscape changes, open space or outdoor living area as well as the addition of shade structure, to be Minor Site Plan Amendments. Minor Revisions may seek Administrative Relief per Section 3.2 of this Ordinance.; and,
  2. *Major Revisions.* Any modification which, as determined by the Development Services Department, changes the original approval such as: a change in intent, phasing or revisions that do not conform to Town standards, or a change that is ten percent (10%) or more, shall be considered a Major Site Plan Amendment and shall be required to file a new application form together with the revised Site Plan and associated materials, along with the application fees, and shall be subject to the Site Plan Review and recommendation by the Planning and Zoning Commission.
- H. *Effect of Site Plan Approval.*
1. *Effective Period.* The approval of a site plan shall be effective for a period of eighteen (18) months from the date of Town Council, Planning Commission or administrative approval, at the end of which time the applicant must have submitted an application for building permit. If a building permit is not submitted for within the eighteen (18) month period, the approval shall be null and void, and the applicant shall be required to submit a new site plan for review.
  2. *Building Permit.* After a site plan has been approved the applicant may apply for building permits consistent with the site plan as approved. If a valid building permit has been filed within eighteen

## ARTICLE 3 – ZONING PROCEDURES

(18) months of site plan approval, and said building permit remains active, the site plan may remain valid, as determined by the Planning Administrator. No building permit application may be issued until the site plan has been certified as conforming to the site plan as approved by the Town Council, Planning Commission or Town Staff.

3. *Commencement of Development.* Development shall commence within eighteen (18) months of site plan approval, unless approved otherwise, or the approval becomes null and void. In such cases where certain development requirements cannot be met immediately due to weather conditions, a temporary certificate of occupancy may be issued, provided that adequate surety for such development requirement will be provided. Said completion shall not exceed a period of eighteen (18) months from date of issuance of the temporary certificate of occupancy.

I. *Final Inspection.* The Planning Administrator shall inspect the site for compliance with the approved site plan before a certificate of occupancy is issued for the project. Any deficiencies shall be recorded in a letter to the applicant. The applicant shall have ten (10) days in which to eliminate the deficiencies. If the applicant is unable to comply within the ten (10) day period, the applicant shall request, in writing, an extension of time for the completion which shall not exceed six (6) months. The written request shall state the extenuating circumstances causing the delay. Upon review and approval by the Planning Administrator, a temporary certificate of occupancy may be issued indicating the date by which the deficiencies shall be eliminated.

J. *Validity.*

1. Site plan approval shall bear the signature of the Planning Administrator or his/her designee and date signed on the site plan. Approval shall become effective immediately.

2. Site plan approval shall lapse and become void eighteen (18) months following the date on which such approval became effective unless application for a building permit has been made, if an extension request has been filled, or a valid building permit is issued and construction is commenced and diligently pursued toward completion. After issuance of a certificate of occupancy, the approved site plan will govern site development.

3. Upon violation of any applicable provision of this section or, if granted subject to conditions, upon failure to comply with conditions, site plan approval shall be suspended upon notification to the owner of a use or property subject to the site plan.

4. A site plan shall continue to be valid upon a change of ownership of the site or structure which was the subject of the application approval pursuant to these provisions.

### 3.4 Amendment and Rezoning

A. *Application.*

1. When the owner of the affected property initiates an amendment to the district boundaries, an application for such amendment shall be submitted to the Planning Administrator. Before any application is accepted by the Development Services Department, the applicant shall submit an application for a pre-application meeting. The purpose of the pre-application meeting is to discuss, in general, the procedures and requirements for a zoning amendment request pursuant to these Regulations.

B. *Initiation of a Rezoning.* An owner of real property within the Town, or that owner's authorized representative, may, upon proof of ownership, apply for a change in zoning district boundaries (rezoning) for that landowner's property.

C. *Initiation of a Text Amendment.* Any person may request an amendment of the text of the Ordinance, after a pre-application meeting is held, by filing a

## ARTICLE 4 – PERMITTED USE TABLE

**Table 4.6-1** Permitted Uses

Use Category	Specific Use Type	Non-Residential Zoning Districts															
		A1 R1-190 R1-145 R1-108	R1-54 R1-43 R1-35	R1-18 R1-15 R1-12	R1-9 R1-8 <sup>1</sup> R1-7 R1-6 <sup>1</sup> R1-5 R1-4	HDR/ MDR	AT	NC	TC	MU	C-1	C-2	C-3	EMP A	EMP B	PR C	PQP
Dwelling Units	*Accessory Uses	A	A	--	--	--	--	--	--	--	--	--	--	--	--	--	--
	Live / Work	--	--	--	--	--	P	P	P	P	C	C	C	C	--	--	--
	*Accessory Dwelling Unit	A	A	A	A	--	P	--	--	--	--	--	--	--	--	--	--
	Single-Family, Detached	P	P	P	P	P	P	C	P	P	--	--	--	--	--	--	--
	Single-Family, Attached	--	--	--	--	P	P	C	P	P	--	--	--	--	--	--	--
	Modular Home	P	P	P	P	P	--	--	--	--	--	--	--	--	--	--	--
	Manufactured Housing (Permitted in MHR Overlay only)	P	P	P	P	P	--	--	--	--	--	--	--	--	--	--	--
	Mobile Home	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
	Duplex / Triplex / Townhouse	--	--	--	--	P	--	--	--	--	--	--	--	--	--	--	--
	Multiple Dwelling (See Section 4.6.D.8)	--	--	--	--	P	P	P	P	P	W--	W--	--	--	--	--	--
	Boarding House or Rooming House	--	--	--	--	C	--	P	C	C	C	--	--	--	--	--	--
All Other Household Living	--	--	--	--	C	--	C	C	C	C	C	C	C	--	--	--	
Group Living	Assisted Living Facility	C	C	--	--	P	--	P	C	C	C	P	P	--	--	--	--
	*Group Residential Facility (Group Home)	P	P	P	P	P	--	--	--	--	--	--	--	--	--	--	--
	Treatment Facility	--	--	--	--	--	--	C	C	C	C	C	C	--	--	--	--
Lodging	Hotels, Motels,	--	--	--	--	--	--	P	P	P	P	P	P	--	--	--	--
	Bed & Breakfast Inns (See 4.6.D.1 )	--	--	--	--	--	W	--	W	--	--	--	--	--	--	--	--
<b>Institutional &amp; Civic</b>																	
Community Service	Museums, Art Galleries, Opera Houses, and Libraries (See Section 4.6.D.6)	W	W	W	W	W	W	W	W	W	W	W	W	--	--	W	W
	Community Building (See Section 4.6.D.6)	W	W	W	W	W	W	W	W	W	W	W	W	--	--	W	W
	All Other Community Service (See Section 4.6.D.6)	W	W	W	W	W	W	W	W	W	W	W	W	--	--	W	W
Day Care	Home-Based Day Care (1-6 children plus 2 children after school) (See Section 4.6.D. 7)	W	W	W	W	W	--	--	--	--	--	--	--	--	--	--	--
	Limited Day Care (6-12 children) (See Section 4.6.D.7)	C	C	C	C	C		W	W	W	W	W	W	--	--	--	--

## ARTICLE 4 – PERMITTED USE TABLE

**Table 4.6-1** Permitted Uses (Continued)

Use Category	Specific Use Type	Residential Zoning Districts					Non-Residential Zoning Districts										
		A1 R1-190 R1-145 R1-108	R1-54 R1-43 R1-35	R1-18 R1-15 R1-12	R1-9 R1-8 <sup>1</sup> R1-7 R1-6 <sup>1</sup> R1-5 R1-4	HDR/ MDR	AT	NC	TC	MU	C-1	C-2	C-3	EMP A	EMP B	PRC	PQP
<b>Institutional &amp; Civic (Continued)</b>																	
Day Care (Continued)	General Day Care (13 or more children) and Nursery School/ Pre-School (See Section 4.6.D.7)	--	--	--	--	--	--	W	P	P	W	P	P	--	--	--	--
	All other	--	--	--	--	--	--	C	C	C	C	C	C	--	--	--	--
Parks & Open Space	Neighborhood Park (See Section 4.6.D.6)	W	W	W	W	W	P	--	--	--	--	--	--	--	--	P	--
	Cemetery (See Section 4.6.D.6)	W	W	W	W	W	--	--	C	--	C	C	--	C	C	W	--
	Golf Course (See Section 4.6.D.6)	W	W	W	W	W	--	--	W	C	W	W	C	C	C	W	--
	Golf Driving Range	--	--	--	--	--	--	--	C	C	C	C	C	C	C	C	--
	Parks/lakes/reservoirs	--	--	--	--	--	--	C	C	C	C	C	C	C	C	C	--
	All Other Parks/Open Space (See Section 4.6.D.6)	W	W	W	W	W	W	C	C	C	C	C	C	C	C	EP	--
Religious Institutions	Institution (seating capacity up to 1,500 persons)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	--	--
	Large Institution (seating capacity greater than 1,500 persons)	C	C	C	C	C	C	C	C	C	C	C	C	C	C	--	--
	All other religious uses	--	--	--	--	--	--	C	C	C	C	C	C	--	--	--	--
Safety Services (See Section 4.6.D.6)	All	C	C	C	C	C	C	C	C	W	W	C	C	C	C	W	
Educational Facilities (See Section 4.6.D.6)	Boarding School	C	C	C	C	C	--	C	C	C	C	C	--	--	--	W	
	Charter, Private and Parochial School	W	W	W	W	W	--	W	W	W	W	W	--	--	--	W	
	Dance/Art/Music Schools	--	--	--	--	--	--	W	W	W	W	W	C	--	--	--	W
	Elementary Schools	W	W	W	W	W	W	W	W	W	W	W	W	--	--	--	W
	Riding Academies	--	--	--	--	--	P	C	W	C	C	W	C	C	C	--	W
	Secondary Schools	W	W	W	W	W	W	C	W	W	C	W	W	--	--	--	W
	College or University	C	C	--	--	--	--	--	W	W	W	W	W	--	--	--	W
	Vocational/Tech School	--	--	--	--	--	P	--	W	W	W	W	W	W	W	--	W
All other Schools	W	W	W	W	W	W	C	C	C	C	C	C	--	--	--	W	

## ARTICLE 4 – PERMITTED USE TABLE

**Table 4.6-1** Permitted Uses (Continued)

Use Category	Specific Use Type	Residential Zoning Districts					Non-Residential Zoning Districts											
		A1 R1-190 R1-145 R1-108	R1-54 R1-43 R1-35	R1-18 R1-15 R1-12	R1-9 R1-8 <sup>1</sup> R1-7 R1-6 <sup>1</sup> R1-5 R1-4	HDR/ MDR	AT	NC	TC	MU	C-1	C-2	C-3	EMP A	EMP B	PRC	PQP	
<b>Institutional &amp; Civic (Continued)</b>																		
Utility, Basic	Utility Facilities and Utility Service Yards	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
	All other Utility, Basic	C	C	C	C	C	C	C	C	C	C	C	C	C	P	P	C	P
Utility Corridors	Transmission Lines (underground)	P	P	P	P	P	P	C	C	C	C	P	P	P	P	C	P	
	Transmission Lines (above ground)	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	
	Utility Treatment, Production or Service Facilities	--	--	--	--	--	C	--	C	C	C	C	C	C	C	C	P	
Detention Facilities	Jails, Reformatories	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	
	Honor Camps	--	--	--	--	--	--	--	--	--	C	C	--	P	P	--	P	
Hospital/ Clinic	Clinics/Medical/Dental Offices (see section 4.6.D.4 )	--	--	--	--	--	W	W	W	W	P	P	P	C	--	--	--	
	Adult Day Care	--	--	--	--	--	--	P	P	P	P	P	P	C	--	--	--	
	Blood Bank or Plasma Center	--	--	--	--	--	--	--	--	--	--	C	C	C	--	--	--	
	Counseling Centers (non-resident)	--	--	--	--	--	--	C	P	P	C	P	P	C	C	--	--	
	Counseling Centers (non-resident) for the treatment of drug abuse and / or alcohol	--	--	--	--	--	--	C	C	C	C	C	P	C	C	--	--	
	Hospital/Mental Hospital	--	--	--	--	--	--	--	C	C	C	C	C	C	--	--	--	
	Physical and Mental Rehabilitation (resident)	--	--	--	--	--	--	--	--	C	--	C	C	C	C	--	--	
	All other medical facilities	--	--	--	--	--	--	--	--	C	--	C	C	C	C	--	--	
<b>Commercial</b>																		
Eating and Drinking Establishments	Bars & Nightclubs (with or without live music and dancing) and Alcohol Sales, by the drink (primary use) (see section 4.6.D.10)	--	--	--	--	--	W		C	W	C	C	P	C	--	--	--	
	Restaurant, limited service (see section 4.6.D.10)	--	--	--	--	--	P	C	P	P	P	P	P	P	P	--	--	
	Restaurant, full service (see section 4.6.D.10)	--	--	--	--	--	W	W	W	P	P	P	P	P	P	--	--	

## ARTICLE 4 – PERMITTED USE TABLE

**Table 4.6-1** Permitted Uses (Continued)

Use Category	Specific Use Type	Residential Zoning Districts					Non-Residential Zoning Districts										
		A1 R1-190 R1-145 R1-108	R1-54 R1-43 R1-35	R1-18 R1-15 R1-12	R1-9 R1-8 <sup>1</sup> R1-7 R1-6 <sup>1</sup> R1-5 R1-4	HDR/ MDR	AT	NC	TC	MU	C-1	C-2	C-3	EMP A	EMP B	PRC	PQP
<b>Commercial (Continued)</b>																	
Eating and Drinking Establishments (Continued)	* Restaurant, with In-Vehicle Service	--	--	--	--	--	--	--	C	C	€P	€P	€P	--	--	--	--
	Coffee Houses (see Section 4.6.D.10)	--	--	--	--	--	P	C	P	P	€P	P	P	--	--	--	--
* Home-based occupations	All (when AT, TC, MU is residential use)	P	P	P	P	—P	P	--	P	P	--	--	--	--	--	--	--
Office	General Offices (see section 4.6.D.10)	--	--	--	--	--	W	P	W	P	P	P	P	P	--	--	--
	* Office with Drive-Thru	--	--	--	--	--	C	--	C	C	C	C	P	--	--	--	--
	All other offices	--	--	--	--	--	C	C	C	C	C	C	P	--	--	--	--
Parking, Commercial	Commercial Parking Lot or Parking Structure	--	--	--	--	--		C	C	C	C	C	C	C	C	--	--
Entertainment Event Major	Indoor Facilities	--	--	--	--	--	P	C	P	P	C	C	P	P	P	C	--
	Outdoor Facilities	--	--	--	--	--	P	C	C	C	C	C	C	P	P	C	--
Recreation and Entertainment Outdoor	Campgrounds and Camps (see Section 4.6.D.2)	W	W	--	--	--	W	--	--	--	--	--	--	W	W	W	--
	Commercial Ranch, Commercial Stable, Outdoor Guest Ranch	C	C	--	--	--	P	--	--	--	--	--	--	--	--	--	--
	Equestrian boarding and riding arenas, (setback 500 feet from all property lines)	--	--	--	--	--	P	--	--	--	--	--	--	C	C	--	--
	Equestrian facilities in conjunction with an approved single family residential development	--	--	--	--	--	P	--	--	--	--	--	--	--	--	C	--
	Hunting, fishing, game preserves and recreational clubs or camps - not including recreational vehicle campgrounds.	--	--	--	--	--	P	--	--	--	--	--	--	--	--	P	--
	Resort, Cabins and Lodges	C	C	--	--	--	P	--	--	C	--	P	C	C	C	C	--
	Swimming Pools	A	A	A	A	A	--	C	P	C	C	P	C	--	--	P	--
	Shooting Ranges	C	---	--	--	--	--	--	--	--	--	--	--	C	C	C	--
	Commercial Amusement, Outdoor	C	C	--	--	--	P	--	--	C	C	C	C	C	C	--	--

## ARTICLE 4 – PERMITTED USE TABLE

**Table 4.6-1** Permitted Uses (Continued)

Use Category	Specific Use Type	Residential Zoning Districts					Non-Residential Zoning Districts											
		A1 R1-190 R1-145 R1-108	R1-54 R1-43 R1-35	R1-18 R1-15 R1-12	R1-9 R1-8 <sup>1</sup> R1-7 R1-6 <sup>1</sup> R1-5 R1-4	HDR/ MDR	AT	NC	TC	MU	C-1	C-2	C-3	EMP A	EMP B	PRC	PQP	
<b>Commercial (Continued)</b>																		
Recreation and Entertainment Outdoor (Continued)	Miniature Golf	C	C	--	--	--	P	--	--	--	--	--	--	--	--	--	--	
	Zoo	C	C	--	--	--	P	--	--	C	C	C	C	C	C	C	--	
	Carnivals, Dances, Circuses	--	--	--	--	--	--	--	--	C	--	--	C	--	--	--	--	
	All Other Outdoor Recreation	C	C	--	--	--	C	C	C	C	C	C	C	C	C	C	--	
Recreation and Entertainment Indoor	Assembly/Auditorium	C	C	--	--	--		--	P	P	C	C	C	--	--	--	--	
	Amusement Center	C	C	--	--	--	P	--	--	--	--	--	--	--	--	--	--	
	Bowling Alley	--	--	--	--	--	C	--	--	--	--	<u>-P</u>	<u>-P</u>	--	--	--	--	
	Commercial Amusement, Indoor	--	--	--	--	--	P	--	P	P	C	P	P	P	P	--	--	
	Clubs, Lodges, Health Club, or Fitness Center	--	--	--	--	--	C	--	P	P	P	P	P	P	--	--	--	
Retail Sales and Service	Alcohol sales, retail	--	--	--	--	--	P	P	P	P	<u>€P</u>	P	P	C	--	--	--	
	Alcohol sales, in restaurant	--	--	--	--	--	P	P	P	P	<u>€P</u>	P	P	C	C	--	--	
	Veterinary Hospitals, Kennels	--	--	--	--	--	P	--	C	P	--	C	P	C	C	--	--	
	Animal Sales and Care	--	--	--	--	--	P	P	P	P	P	P	P	P	--	--	--	
	Indoor, small animals	--	--	--	--	--	P	P	P	P	P	P	P	C	--	--	--	
	Indoor, large animals	--	--	--	--	--	P	C	P	C	C	P	C	C	C	--	--	
	Bed & Breakfast	C	C	--	--	--	<u>-P</u>	--	--	--	--	--	--	--	--	--	--	
	Outdoor Sales Operations (see Section 4.6.D.9)	--	--	--	--	--	P	W	W	W	W	W	W	W	W	W	--	--
	Arts, crafts and boutiques	--	--	--	--	--	P	P	P	P	P	P	P	--	--	--	--	
	Bakeries (small scale not factory or distribution warehousing)	--	--	--	--	--	P	P	P	P	P	P	P	P	--	--	--	
	Bakeries (large scale, including distributors or warehousing)	--	--	--	--	--	P	--	--	--	--	--	--	<u>€P</u>	P	--	--	
	Banks (excluding drive-thru facilities)	--	--	--	--	--	C	P	P	P	P	P	P	P	--	--	--	
	Bars & Nightclubs (with or without live music and dancing)	--	--	--	--	--	P	--	C	P	C	C	P	--	--	--	--	
* Sexually Oriented Business	--	--	--	--	--	--	--	--	--	--	--	--	--	P	--	--		



## ARTICLE 4 – PERMITTED USE TABLE

**Table 4.6-1** Permitted Uses (Continued)

Use Category	Specific Use Type	Residential Zoning Districts					Non-Residential Zoning Districts										
		A1 R1-190 R1-145 R1-108	R1-54 R1-43 R1-35	R1-18 R1-15 R1-12	R1-9 R1-8 <sup>1</sup> R1-7 R1-6 <sup>1</sup> R1-5 R1-4	HDR/ MDR	AT	NC	TC	MU	C-1	C-2	C-3	EMP A	EMP B	PRC	PQP
<b>Commercial (Continued)</b>																	
Retail Sales and Service (Continued)	* Large Format Retail	--	--	--	--	--	--	--	--	P	--	P	P	--	--	--	--
	Book Stores	--	--	--	--	--	P	P	P	P	P	P	P	--	--	--	--
	Cemeteries, Mausoleums	--	--	--	--	--	P	--	--	--	--	--	C	C	--	--	
	Contractor and Trade Shops, Indoor operations and storage	--	--	--	--	--	P	--	C	--	--	C	C	P	P	--	--
	Supermarkets or Convenience Stores	--	--	--	--	--	P	--	P	P	P	P	P	--	--	--	--
	Delivery and Dispatch Services (vehicles on-site)	--	--	--	--	--	P	--	--	C	P	P	P	P	P	--	--
	Department Stores	--	--	--	--	--	--	--	P	P	--	P	P	--	--	--	--
	* In-vehicle ("drive-thru") service facilities uses, including automated tellers, <del>banks,</del> cleaners, liquor, <del>and fuel,</del> <del>and restaurants.</del>	--	--	--	--	--	--	C	--	C	C	C	P	--	--	--	--
	Farm-Related Business, such as: feed stores, fruit, and vegetable stands. (see Section 4.6.D.3)	--	--	--	--	--	P	W	W	W	W	W	W	--	--	--	--
	Fertilizer and Seed Sales	--	--	--	--	--	P	C	C	--	C	C	C	P	P	--	--
	Food Service	--	--	--	--	--	P						P				
	Catering	--	--	--	--	--	P	C	P	P	C	P	P	C	C	--	--
	Funeral Home/Mortuary Crematorium	--	--	--	--	--	--	--	C	C	C	C	P	P	P	--	--
	Hardware Stores	--	--	--	--	--	P	C	P	P	C	P	P	--	--	--	--
	Landscaping Materials	--	--	--	--	--	P	C	P	--	P	P	C	P	P	--	--
	Manufactured Building Sales and Service	--	--	--	--	--	--	--	--	--	--	--	C	C	P	--	--
	* Massage Establishments	--	--	--	--	--	--	--	C	C	C	P	P	--	--	--	--
	Motor Vehicle Dealer	--	--	--	--	--	--	--	--	C	--	P	P	--	--	--	--
*Non-chartered Financial Institutions	--	--	--	--	--	--	--	C	--	--	C	--	C	--	--	--	

## ARTICLE 4 – PERMITTED USE TABLE

**Table 4.6-1** Permitted Uses (Continued)

Use Category	Specific Use Type	Residential Zoning Districts					Non-Residential Zoning Districts										
		A1 R1-190 R1-145 R1-108	R1-54 R1-43 R1-35	R1-18 R1-15 R1-12	R1-9 R1-8 <sup>1</sup> R1-7 R1-6 <sup>1</sup> R1-5 R1-4	HDR/ MDR	AT	NC	TC	MU	C-1	C-2	C-3	EMP A	EMP B	PRC	PQP
<b>Commercial (Continued)</b>																	
Retail Sales and Service (Continued)	Nurseries and Green Houses where retail sales and services will be conducted on the premises	--	--	--	--	--	P	P	P	C	P	P	P	--	--	--	--
	* Pawn Shops and Precious Metals Dealers (We Buy Gold)	--	--	--	--	--	--	--	--	--	--	C	--	C	--	--	--
	Rental Services (see 4.6.D.5) where heavy equipment is involved)	--	--	--	--	--	--	W	W	W	W	W	W	W	W	--	--
	Repair Services (appliances)	--	--	--	--	--	--	P	P	P	P	P	P	P	P	--	--
	Personal or General Services	--	--	--	--	--	--	P	P	P	P	P	P	C	C	--	--
	* Medical Marijuana Dispensary, Operation or Cultivation	--	--	--	--	--	--	--	--	--	--	C	--	C	C	--	--
	Swap Meets and Farmer's Markets	--	--	--	--	--	P	--	C	P	--	C	P	C	C	--	--
	Theaters	--	--	--	--	--	P	--	P	P	--	--	P	--	--	--	--
	All Other Retail Sales and Service	C	C	--	--	--		C	C	C	C	C	C	C	C	--	--
Agriculture	General agriculture uses, agribusiness, entertainment farming	P	P	--	--	--	P	--	--	--	--	--	--	--	--	--	--
	Concentrated animal feeding operation	--	--	--	--	--	P	--	--	--	--	--	--	C	C	--	--
	Dairy	--	--	--	--	--	P	--	--	--	--	--	--	C	C	--	--
	Feed Lot	--	--	--	--	--	P	--	--	--	--	--	--	C	C	--	--
	Greenhouses, Plant/Tree Nurseries	P	P	--	--	--	P	--	--	--	--	--	--	P	P	--	--
	Agribusiness	P	P	--	--	--	P	--	--	--	--	--	--	--	--	--	--
	Christmas Tree Sales	--	--	--	--	--	P	--	--	--	--	--	P	P	P	P	--
	Feed Lot	--	--	--	--	--	P	--	--	--	--	--	--	C	C	--	--
	Greenhouses, Plant/Tree Nurseries	P	P	--	--	--	P	--	--	--	--	--	--	P	P	--	--
	Agribusiness	P	P	--	--	--	P	--	--	--	--	--	--	--	--	--	--
Christmas Tree Sales	--	--	--	--	--	P	--	--	--	--	--	P	P	P	P	--	

## ARTICLE 4 – PERMITTED USE TABLE

**Table 4.6-1** Permitted Uses (Continued)

Use Category	Specific Use Type	Residential Zoning Districts					Non-Residential Zoning Districts										
		A1 R1-190 R1-145 R1-108	R1-54 R1-43 R1-35	R1-18 R1-15 R1-12	R1-9 R1-8 <sup>1</sup> R1-7 R1-6 <sup>1</sup> R1-5 R1-4	HDR/ MDR	AT	NC	TC	MU	C-1	C-2	C-3	EMP A	EMP B	PRC	PQP
<b>Commercial (Continued)</b>																	
Agriculture (Continued)	Grain Storage, when not used in connection or accessory to use of the property for agriculture cultivation	P	P	--	--	--	P	--	--	--	--	--	--	--	--	--	--
	Winery	--	--	--	--	--	P	--	--	--	--	--	C	C	--	--	
	All other agriculture, including mini-farms, and community gardens	P	P	C	C	C	C	--	--	--	--	--	C	C	--	--	
Self-Service Storage	Self-Storage (see Section 4.6.D.12)	--	--	--	--	--	--	W	W	W	W	W	W	W	W	--	--
Vehicle Service	Automotive Repair	--	--	--	--	--	--	--	--	C	--	P	P	P	P	--	--
	Body Shop	--	--	--	--	--	--	--	--	--	--	--	C	P	P	--	--
	* Car Wash	--	--	--	--	--	--	--	--	C	--	P	P	--	--	--	--
	* Gasoline Service Station	--	--	--	--	--	--	C	--	P	C	P	P	--	--	--	--
	* Quick Lubrication	--	--	--	--	--	--	C	--	C	C	P	P	P	P	--	--
	Semi-Truck Repair	--	--	--	--	--	--	--	--	--	--	--	--	C	P	--	--
	Semi-Truck Stop/Travel Plaza	--	--	--	--	--	--	--	--	--	--	--	--	--	P	--	--
	Tire Recapping and Storage (not junkyards)	--	--	--	--	--	--	--	--	--	--	--	--	C	C	--	--
All other Vehicle Service	--	--	--	--	--	--	--	--	--	--	--	C	C	C	--	--	
<b>Other</b>																	
Aviation or Surface Passenger Terminal	Airport/Heliports	--	--	--	--	--	--	--	--	--	--	--	--	--	C	--	--
	Bus/Commuter Stops	--	--	--	--	--	P	P	P	P	P	P	P	P	P	P	--
	Bus/Railroad Depot	--	--	--	--	--	P	--	P	P	C	P	P	P	P	--	--
	Helipads	--	--	--	--	--	--	--	--	P	C	C	P	C	C	--	--
	All other Aviation or Surface Passenger Terminal	--	--	--	--	--	--	C	C	P	C	C	P	C	C	--	--
Mining	Extractive Use	--	--	--	--	--	--	--	--	--	--	--	--	C	--	--	
	Oil or Gas Drilling	--	--	--	--	--	--	--	--	--	--	--	--	C	--	--	
	Quarry	--	--	--	--	--	--	--	--	--	--	--	--	C	--	--	

## ARTICLE 4 – PERMITTED USE TABLE

**Table 4.6-1** Permitted Uses (Continued)

Use Category	Specific Use Type	Residential Zoning Districts					Non-Residential Zoning Districts										
		A1 R1-190 R1-145 R1-108	R1-54 R1-43 R1-35	R1-18 R1-15 R1-12	R1-9 R1-8 <sup>1</sup> R1-7 R1-6 <sup>1</sup> R1-5 R1-4	HDR/ MDR	AT	NC	TC	MU	C-1	C-2	C-3	EMP A	EMP B	PRC	PQP
<b>Other (Continued)</b>																	
Mining (Continued)	Processing	--	--	--	--	--	--	--	--	--	--	--	--	--	C	--	--
	Sand or Gravel Extraction or Processing	--	--	--	--	--	--	--	--	--	--	--	--	--	C	--	--
* Tele-communication Facilities	* Antennas or towers, other	C	C	C	C	C	C	C	C	P	C	C	P	C	C	C	C
	*Antennas or towers on property owned, leased, or otherwise controlled by the Town of Queen Creek	--	--	--	--	--	P	P	P	P	P	P	P	P	P	P	P
	Satellite Dish Antennas for private residential use	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	--
Temporary Uses (see Section 3.6)	Enterprise Sales	T	T	-	-	-	T	T	T	T	T	T	T	T	T	--	--
	Temporary Events	T	T	-	-	-	T	T	T	T	T	T	T	T	T	T	--
	Temporary Retail Sales	T	T	-	-	-	T	T	T	T	T	T	T	T	T	--	--
	Temporary real estate and construction-related uses	T	T	T	T	T	T	T	T	T	T	T	T	T	T	--	T
	Amusement enterprises	T	T	T	T	T	T	T	T	T	T	T	T	T	T	--	--
	Promotional activities involving the display of goods and merchandise	T	T	-	-	-	T	T	T	T	T	T	T	T	T	--	--
	Special events and activities on public property	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T
	Display and Sale of Consumer Fireworks	--	--	--	--	--	T	--	T	T	T	T	T	T	T	--	--
	Temporary uses not specified	T	T	-	-	-	T	T	T	T	T	T	T	T	T	T	T
Industrial Service, Manufacturing and Production	Animal Food Manufacturer	--	--	--	--	--	--	--	--	--	--	--	--	--	C	--	--
	Cleaning or Processing Establishment	--	--	--	--	--	--	--	--	--	--	--	--	P	P	--	--
	Indoor Operations and Storage such as Assembly, Food Products, and Manufacturing/ Processing	--	--	--	--	--	--	--	--	--	--	--	--	P	P	--	--

## ARTICLE 4 – PERMITTED USE TABLE

**Table 4.6-1** Permitted Uses (Continued)

Use Category	Specific Use Type	Non-Residential Zoning Districts															
		A1 R1-190 R1-145 R1-108	R1-54 R1-43 R1-35	R1-18 R1-15 R1-12	R1-9 R1-8 <sup>1</sup> R1-7 R1-6 <sup>1</sup> R1-5 R1-4	HDR/ MDR	AT	NC	TC	MU	C-1	C-2	C-3	EMP A	EMP B	PRC	PQP
Industrial Service, Manufacturing and Production (Continued)	Indoor Operations with Outdoor Storage such as Assembly, Food Products, and Manufacturing/Processing, Contractor and Trade Shop (see Section 4.6.D.11)	--	--	--	--	--	W	--	--	--	--	--	--	C	W	--	--
	Outdoor Operations and Storage such as Assembly, Food Products, and Manufacturing/Processing, Contractor and Trade Shops (see Section 4.6.D.11)	--	--	--	--	--	W	--	--	--	--	--	--	W	W	--	--
	All other Industrial Service	--	--	--	--	--	--	--	--	--	--	--	--	C	--	--	
Warehouse and Freight Storage	Indoor Operations, Storage and Loading	--	--	--	--	--	--	--	--	--	--	--	P	P	--	--	
	Indoor Storage with Outdoor Loading Docks (see Section 4.6.D.11)	--	--	--	--	--	--	--	--	--	--	--	W	W	--	--	
	Outdoor Storage or Loading (see Section 4.6.D.5)	--	--	--	--	--	--	--	--	--	--	--	C	C	--	--	
Waste-Related Use	Transfer Station: (Non)Hazardous Waste	--	--	--	--	--	--	--	--	--	--	--	--	C	--	--	
	Solid Waste Disposal Sites	--	--	--	--	--	--	--	--	--	--	--	--	C	--	--	
	Junkyards/Automotive Recycler	--	--	--	--	--	--	--	--	--	--	--	--	C	--	--	
	All other waste-related	--	--	--	--	--	--	--	--	--	--	--	--	C	--	--	
Wholesale Sales	Wholesale business without highly flammable material or liquids	--	--	--	--	--	--	--	--	--	--	--	--	C	--	--	
	All other wholesale uses	--	--	--	--	--	--	--	--	--	--	--	C	C	--	--	

(1) Designation of R1-8 and R1-6 districts is prohibited after August 1, 1998 (pursuant to this Ordinance, and Ordinances 127-98 and 128-98).