ORDINANCE NO. 4423


WHEREAS, the City of Scottsdale wishes to amend the Zoning Ordinance provisions regarding Section 5.4006. (Use Regulations) of the Zoning Ordinance, to add 'Restaurant, including drive-through restaurant but excluding drive-in restaurant' as an allowed land use in the AMU subdistrict of the Planned Airpark Core Development (PCP) zoning district and related City-wide requirements; and

WHEREAS, the Planning Commission held a public hearing on August 14, 2019; and

WHEREAS, the City Council held a public hearing on September 24, 2019 and considered a text amendment to the Zoning Ordinance of the City of Scottsdale, Case No. 2-TA-2019; and

WHEREAS, the City Council has determined that the subject Zoning Ordinance amendment is in conformance with the General Plan.

BE IT ORDAINED by the Council of the City of Scottsdale as follows:

Section 1. That the Zoning Ordinance of the City of Scottsdale is hereby amended as specified in Exhibit "A" to this Ordinance, and hereby referred to, adopted, and made a part hereof as if fully set out in this Ordinance.

Section 2. If any section, subsection, sentence, clause, phrase or portion of this ordinance or any part of the code adopted herein is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.
PASSED AND ADOPTED by the City Council of the City of Scottsdale this 24th day of September, 2019.

ATTEST:

By: Carolyn Jagger, City Clerk

CITY OF SCOTTSDALE, an Arizona municipal corporation

By: W. J. "Jim" Lane, Mayor

APPROVED AS TO FORM:

OFFICE OF THE CITY ATTORNEY

Joe Padilla, Acting City Attorney
By: Margaret Wilson, Senior Assistant City Attorney
PLANNED AIRPARK CORE DEVELOPMENT TEXT AMENDMENT – 2-TA-2019

Section 1. That the Zoning Ordinance of the City of Scottsdale, ARTICLE V. DISTRICT
REGULATIONS is amended as follows with all new language depicted in grey shading and all
deleted language in strike-through:

Sec. 5.4006. Use Regulations.

A. The uses allowed in the PCP District are shown in Table 5.4006.A. with additional
limitations on uses as listed. The land uses that correspond for each of the land use
designations in the Greater Airpark Character Area Plan are as set forth in the sub-districts
below in Table 5.4006.A. The land use designations depicted on the Greater Airpark Future
Land Use Plan Map are:

1. Airpark Mixed Use Residential (AMU-R)
2. Airpark Mixed Use (AMU)
3. Employment (EMP)
4. Aviation (AV), and
5. Regional Tourism (RT).

B. Drive-through and drive-in services are not allowed in the PCP-AMU-R, PCP-EMPAMU,
PCP-AV and PCP-RT sub-districts. Drive-in services are not allowed in the PCP-AMU sub-
district. Only drive-through services associated with a restaurant are allowed in the PCP-
AMU subdistrict.

<table>
<thead>
<tr>
<th>Land Uses</th>
<th>Sub-Districts</th>
</tr>
</thead>
<tbody>
<tr>
<td>(P is a Permitted use.)</td>
<td>PCP-AMU-R</td>
</tr>
<tr>
<td>1. Aeronautical use</td>
<td>PCP-AMU</td>
</tr>
<tr>
<td>2. Bar</td>
<td>PCP-EMP</td>
</tr>
<tr>
<td>3. Civic and social organization</td>
<td>PCP-AV</td>
</tr>
<tr>
<td>4. Cultural institution</td>
<td>PCP-RT</td>
</tr>
<tr>
<td>5. Day care center</td>
<td></td>
</tr>
<tr>
<td>6. Dwelling</td>
<td></td>
</tr>
<tr>
<td>7. Educational service, elementary and secondary school</td>
<td></td>
</tr>
<tr>
<td>8. Educational service, other than elementary and secondary school</td>
<td></td>
</tr>
<tr>
<td>9. Financial institution</td>
<td></td>
</tr>
<tr>
<td>10. Health and fitness studio</td>
<td></td>
</tr>
</tbody>
</table>

Table 5.4006.A. Use Table

Ordinance No. 4423
Exhibit A
<table>
<thead>
<tr>
<th>Use Limitations:</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) Limited to a site with frontage on a major collector or arterial street.</td>
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</tbody>
</table>
(2) Limited to areas outside of the AC-3 area as described in the City's procedures for development near the Scottsdale Airport and in the Scottsdale Revised Code, Chapter 5 - Aviation, as amended.

(3) Limited to a site with frontage onto an airport taxilane or taxiway.

(4) Limited to a maximum of 50 percent of the ground floor building area of the Development Plan.

(5) Limited to a maximum density of 40 dwelling units per acre of gross lot area of the Development Plan.

(6) Limited to a sound transmission class of not less than 50 (45 if field tested) as provided in the International Building Code (IBC), and subject to fair disclosure requirements to notify property owners and tenants within the Airport Influence Area.

(7) Restaurant, including drive-through restaurant but excluding drive-in restaurant, are subject to the following standards:

a. Any drive-through lane shall be screened by a minimum four (4) foot tall solid wall or combination of wall and dense landscaping. Any drive-through lane shall have a shade canopy provided over the drive-through at the restaurant pick-up window.

b. Any drive-through lane shall have a minimum setback of 75 feet from the street line along designated Scenic Corridors or Buffered Roadways as defined in the General Plan, or along designated Signature Corridors as defined within the Greater Airpark Character Area Plan, with a minimum 25-foot landscape buffer provided between the drive-through lane and the street line.

c. Any drive-through lane shall have a minimum setback of 150 feet from a single-family residential district shown on Table 4.100.A., or the portion of a Planned Community (P-C) with an underlying zoning district comparable to the single-family residential districts shown on Table 4.100.A., or any Planned Residential Development (PRD) District.

d. Any drive-through lane shall have a minimum 50-foot landscape buffer provided between any property line that abuts a residential district shown on Table 4.100.A., or the portion of a Planned Community (P-C) with an underlying zoning district comparable to the single-family residential districts shown on Table 4.100.A., or any Planned Residential Development (PRD) District.