

Commercial (Economic Vitality)

The commercial land-use categories accommodate the full range of the service industry including retail, entertainment, and medical uses allowing for varying and intensity of uses. The commercial uses are generally characterized by master planned centers, infill parcel development, and regional level destination development along the freeway, intersections of major roadways and the City's major corridors.

▶ Sports and Entertainment

The Sports and Entertainment district provides for regional level sports and entertainment. Land uses include large-scale developments, such as the Phoenix Raceway and its associated uses, public gardens and plazas, resort, office, and retail establishments, recreational vehicle parking and showrooms, museums, parking garages, indoor and outdoor venues including opportunities for motorsports events, and residential living as urban style housing, casitas, and timeshares, or estate housing that accommodates garages and storage for racing vehicles.

▶ The BLVD

Land use category to accommodate the more intense use of the I-10 Freeway and Avondale Boulevard. This category is planned as a pedestrian-oriented district with tree-lined streets, shops on the ground floor, and small plazas and parks. Land uses include the Neighborhood District, Gateway District, Village District, Park Avenue District, Promenade District, and Residential District further defined in the BLVD Specific Plan.

The Gateway, Village and Park Avenue Districts have been designated as the Central Business District for Middle Housing, to comply with ARS § 9-462.13, as amended.

▶ Freeway Commercial

Land use category to accommodate the more intense uses of the I-10 Freeway, Loop 101, SR 30, and other future parkway corridors. Freeway commercial development patterns will provide concentrated retail, hospitality, and related activity along these corridors. This category allows for a broad range of non-residential uses and development flexibility by promoting community-wide and regional retail, medical, office, higher educational complexes, hospitality, sports and family entertainment, commercial complexes, and service destinations to a larger trade area. It offers amenities such as attractive streetscapes, pedestrian activity connections, and efficient circulation.

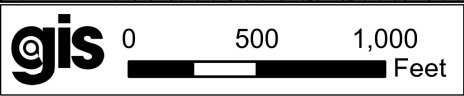
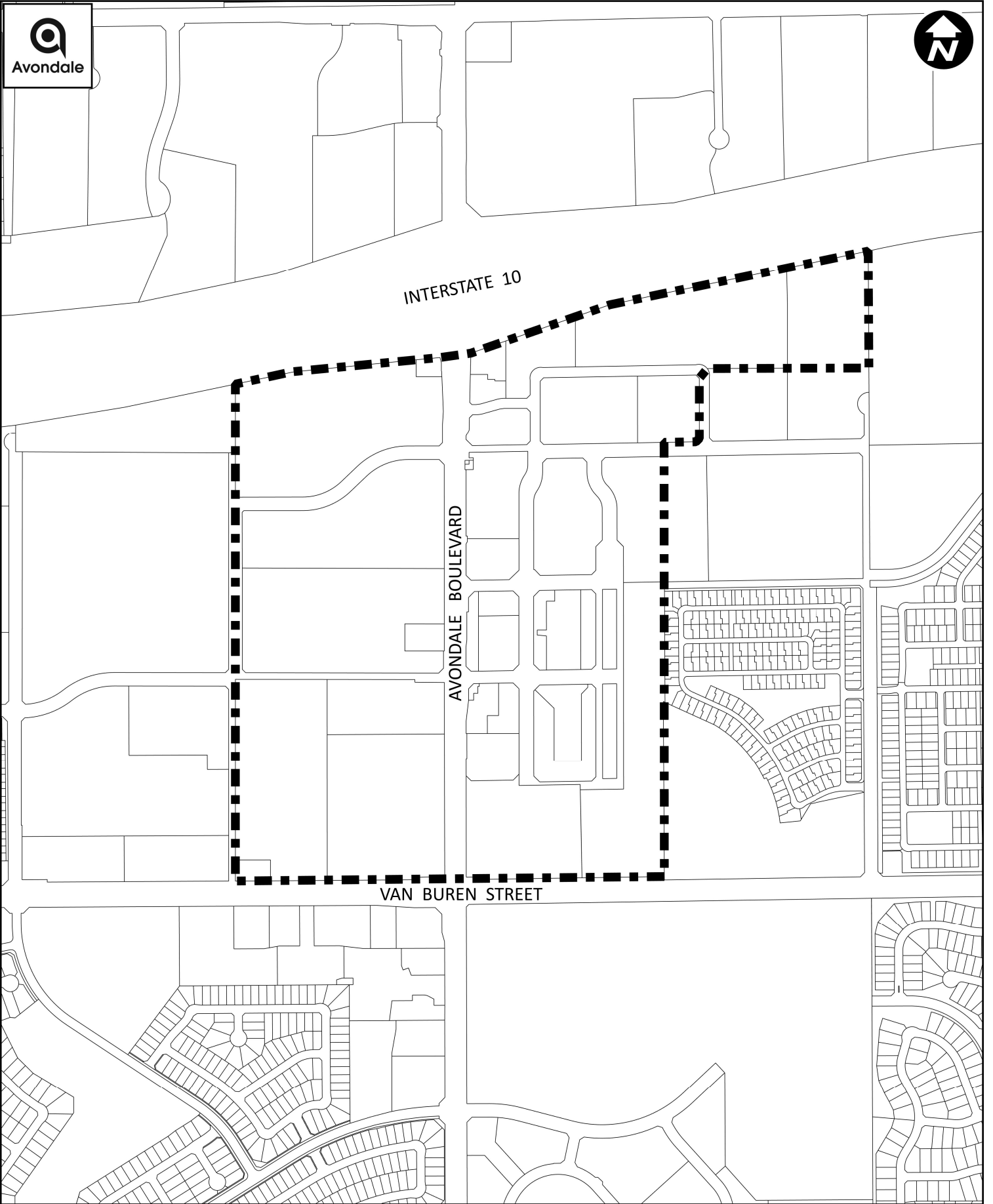
▶ Urban Commercial

Land-use category to accommodate compact commercial centers consisting of retail, restaurant, office, hotel, farmers market, community garden, and personal services. Residential units may be built on upper floors within this designation if commercial uses are built on the ground floor as part of the same development project. The desired form of development is 4+ story buildings served by structured parking.

▶ Local Commercial

Land use category that is used primarily for providing daily needs of goods and services to the residents residing within the surrounding area. The types of uses allowed in this category specifically for local residents may include: grocery stores, gas stations, neighborhood/retail services, and office and medical uses serving consumers residing in adjacent residential areas, which promotes a walkable community. Preferred locations are major arterial intersections, although other locations may be deemed acceptable based on the merits of the project.

In addition, services that provide shopping and basic services for the immediate area (i.e. "neighborhood commercial") may be allowed in any land-use classification based upon the merits of the development proposal. Generally neighborhood commercial development would not be greater than five acres, and would require adequate buffering to protect surrounding land uses.



CENTRAL BUSINESS DISTRICT FOR MIDDLE HOUSING

28-15 Definitions.

* * *

"Building, closed:" A structure completely enclosed by a roof and walls of approved construction.

"Building code:" A construction code adopted by the City; and includes a model building code, commercial code, plumbing and mechanical code, electrical code, energy conservation code, fire code, property maintenance code, neighborhood preservation code, anti-bligh code or other similar code

"Building coverage:" That portion of a lot occupied by any building or structure, including those buildings or structures not intended for human occupancy, calculated by dividing the total building ground floor area by the net site area. Open carports within parking lots in multi-family, commercial, and employment districts shall not count toward the building coverage calculation.

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"Carwash, self-service:" A facility for cleaning the exterior and interior of motor vehicles. Self-service means that the owner/operator either uses equipment such as a wash wand to wash the vehicle manually or remains in the vehicle while automated equipment in a tunnel design washes the exterior of the vehicle. In both types of self-service, the owner/operator of the vehicle cleans the interior of the vehicle and no employees of the facility touch the vehicle except potentially to pre-scrub the exterior prior to its entering the wash tunnel.

"Central business district for middle housing:" An area or series of areas designated by resolution of the City Council that are primarily nonindustrial and that attract community activity.

"Child care:" The care, supervision and guidance of children, unaccompanied by the parent, guardian or custodian, on a regular basis for less than twenty-four (24) hours per day, in a place other than the child's own home.

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"Dwelling or dwelling unit:" A residential living unit that provides complete independent living facilities for one or more persons. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation and a separate entrance. It does not include convalescent homes, hospices, assisted living facilities, hospitals, hotels, and other accommodations for the transient public.

"Dwelling, attached:" Single-family dwellings attached in groups of two (2) or more by common vertical walls.

"Dwelling, detached:" A single-family dwelling that is not attached to any other dwelling by any means.

"Dwelling, duplex:" ~~A building containing two (2) single-family dwelling units on the same parcel or lot in attached, detached, or semi-detached arrangements totally separated from each other by an unpierced wall extending from the ground to the roof.~~ Duplexes are designed for residential occupancy by not more than two (2) households living independently from each other.

"Dwelling, fourplex:" Four (4) dwelling units on the same parcel or lot in attached, detached, or semi-detached arrangements that are designed for residential occupancy by not more than four (4) households living independently from each other.

"Dwelling, multi-family:" A building containing four (4) or more dwelling units.

"Dwelling, restricted-affordable:" A dwelling unit that, either through a deed restriction or a development agreement with the City of Avondale, shall be rented to households earning up to eighty (80) percent of area median income.

"Dwelling, single-family:" A building containing one (1) single-family dwelling unit.

"Dwelling, triplex:" ~~A building containing~~ Three (3) dwelling units ~~on the same parcel or lot in attached, detached, or semi-detached arrangements that are designed for residential occupancy by not more than three (3) households living independently from each other.~~

"Dwelling unit, accessory:" A self-contained residential living unit that is on the same lot or parcel as a single-family dwelling of greater square footage than the accessory dwelling unit. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation and a separate entrance.

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"Medical marijuana dispensary:" A nonprofit medical marijuana dispensary (as defined in Ariz. Rev. Stat. § 36-2801, as amended) duly registered and certified pursuant to Ariz. Rev. Stat. § 36-2804, as amended.

"Middle housing:" For the purposes of Article 14, buildings that are compatible in scale, form, and character with single-family houses and that contain two or more attached, detached, stacked, or clustered homes, and include duplexes, triplexes, fourplexes, and townhomes.

"Medical office:" A room or group of rooms used exclusively by physicians, dentists or similar personnel for the treatment and examination of patients solely on an outpatient basis.

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"Thrift store:" A retail store that specializes in the sale of previously owned and/or used goods and merchandise that has been donated. Thrift stores are distinct from consignment shops, pawn shops and non-consignment secondhand retail stores.

"Townhouse/townhome:" A single-family dwelling unit, with a ~~separate outdoor~~private ground floor entrance and private yard of at least one hundred (100) square feet, that is part of a structure whose dwelling units are constructed in a row of two or more units, sharing at least one common wall with an adjacent unit attached horizontally in a linear arrangement, and having a totally exposed front and rear wall to be used for access, light and ventilation.

"Trailer:" Any towed vehicle that does not fall under the definitions of mobile home or recreational vehicle.

"Transmitting tower:" An unmanned structure that transmits or receives communications by electromagnetic or optical means, such as a radio antenna, television antenna, radar station, or microwave tower, but excluding Wireless Facilities.

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"Turf:" Continuous plant coverage consisting of grass species that is mowed to maintain an established height.

"University:" An institution of higher learning providing facilities for teaching and research and authorized to grant academic degrees.

"Utility provider:" A public service corporation as defined under Arizona Revised Statutes (A.R.S.), an Agricultural and Power Improvement District, a telecommunications provider, and a cable communications provider.

"Use:" The conduct of an activity or the performance of a function or operation, on a site or in a building or facility.

"Urban agriculture:" The growing, washing, packaging, and storage of fruits, vegetables, and other plant products for wholesale or retail sales within close proximity to where a community of people lives.

"Urban development:" A form of development generally characterized by higher residential densities and integrated commercial and industrial land uses connected by multiple transportation modes, with a particular emphasis on pedestrians and transit users.

"Urban services:" The public infrastructure and municipal services required to support urban-level development, including but not limited to water, sanitary sewer, stormwater management, paved streets, solid waste collection, electricity, telecommunications, and access to police, fire, and emergency medical service.

"Urgent care center:" A facility dedicated to the delivery of immediate care or emergency medical services, usually on an unscheduled, walk-in basis, with no provision for continuing care on an inpatient basis.

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28-318—28-320 Reserved.

Article 14 MIDDLE HOUSING

28-321 Purpose.

The purpose of this Article is to conform with A.R.S. § 9-462.13, which requires municipalities with populations of 75,000 or more persons to authorize the development of duplexes, triplexes, fourplexes, and townhomes as a permitted use no later than January 1, 2026, on both of the following: (a) lots zoned for single-family residential use within one mile of the municipality's central business district; and (b) at least twenty percent of any new development of more than ten contiguous acres.

The regulations in this Article are in addition to other codes and requirements of the City of Avondale. Unless specifically provided in this Article, all other provisions of Chapter 28 Zoning Ordinance shall govern development under this Article. Development permitted under this Article shall be considered consistent with the General Plan and any amendments thereto.

28-322 Eligibility for middle housing as a permitted use.

- (a) Eligibility. Subject to the requirements of this Article, a duplex, triplex, fourplex, or townhome is allowed as a permitted use on:
 - (1) a lot zoned for single-family residential use within one mile of Central Business District for Middle Housing (CBD); or
 - (2) at least twenty percent (20%) of a new development of more than ten (10) contiguous acres zoned for single-family residential use; or
 - (3) a planned area development (PAD) zoned parcel, where a single-family residential use is permitted, and meets the requirements of subsections (1) or (2) shall be deemed a single-family residential use for purposes of this Article.
- (b) Non-eligibility. The following areas are not eligible to construct a duplex, triplex, fourplex, or townhome as a permitted use as provided in this Article.
 - (1) areas that are not incorporated.
 - (2) areas that lack sufficient urban services at the discretion of the City Manager or their designee.
 - (3) areas that are not served by water and sewer services.
 - (4) areas that are not zoned for residential use.
 - (5) areas that are not incorporated and are zoned under an interim zoning designation that maintains the area's potential for planned urban development.
 - (6) areas covered under A.R.S. title 48, chapter 6, article 4 related to county improvement districts.
 - (7) any land within the territory in the vicinity of a public airport as defined in A.R.S. § 28-8486, or to the extent this section would interfere with the public airport's ability to comply with the laws, regulations, and requirements of the United States related to applying for, receiving, or spending federal monies.
 - (8) any land within the territory in the vicinity of a military airport as defined in A.R.S. § 28-8461.

28-323 Development standards and procedures.

The following development standards and procedures shall apply to all middle housing projects:

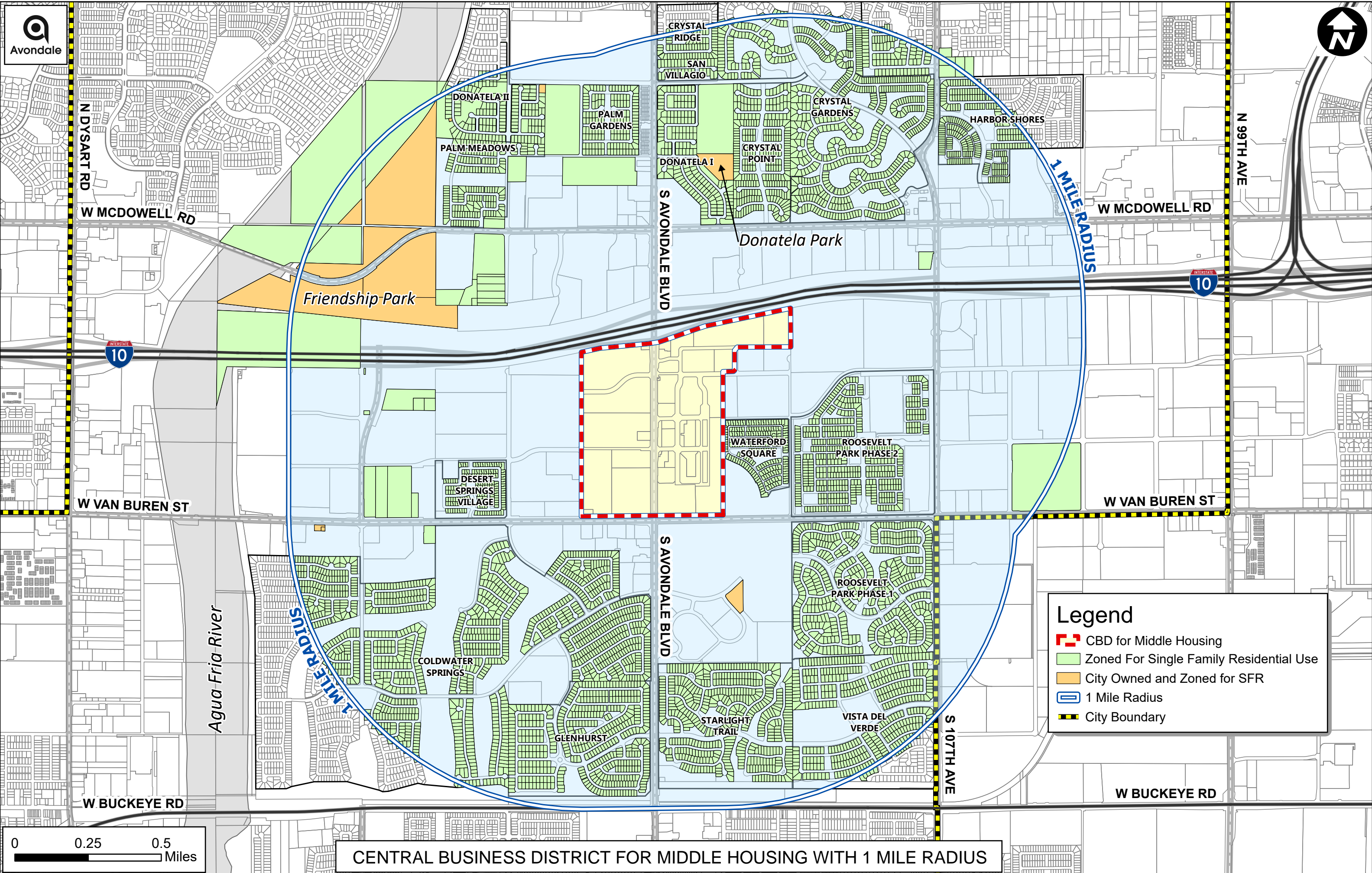
- (a) All new buildings and uses of land or substantial additions to or remodeling of existing buildings/uses shall be initiated by applying for a building permit, which shall include a site plan in accordance with Article 1 of Chapter 28 Zoning Ordinance, and subject to the following:
 - (1) Evidence satisfactory to the Director of Development Services that the proposed duplex, triplex, fourplex, or townhome is eligible as a permitted use in accordance with this Article;
 - (2) Evidence of sufficient urban services for the entire proposed development;
 - (3) Remodeling of an existing building is allowed, provided the building can be converted to meet the applicable middle housing standards;
 - (4) If the new development involves a land division into eligible lots, approval of a preliminary plat and design review for the housing product shall be required, prior to building permit application;
 - (5) Written approval from the City Engineer that there is adequate public sewer and water service for the entire proposed development; and
 - (6) Notwithstanding the provisions of this Article, the applicant will provide a utility provider, as defined by this Article and impacted by a development being developed pursuant to this Article, with the opportunity to review and approve the site plan for the development.
- (b) Location. Middle housing types shall only be constructed on a lot or parcel where a single-family dwelling is a permitted use or permitted with conditions use, and as specified under section 28-322 above.
- (c) Lot size. Middle housing shall be subject to the same minimum lot size requirements that apply to a single-family dwelling within the same zoning district.
- (d) Density. In no instance shall the number of dwelling units exceed four (4) per lot or parcel that complies with the minimum lot size.
- (e) Setbacks, lot width, and lot depth. Middle housing shall be subject to the same minimum setback, lot width, and lot depth requirements that apply to a single-family dwelling within the same zoning district.
- (e) Height. Middle housing shall be subject to the same maximum building height requirements that apply to a single-family dwelling within the same zoning district.
- (f) Building coverage and floor area ratio. Middle housing shall be subject to the same maximum building coverage requirements that apply to a single-family dwelling within the same zoning district. However, the floor area ratio may not be restricted to less than 50 percent (50%) because of building coverage requirements.
 - (1) For purposes of this section, floor area ratio means the ratio of allowed square footage in a middle housing project to the square footage of the parcel on which it is built.
- (g) Utility service. Middle housing shall require adequate provisions for electricity, water supply, and sewage disposal. The property owner shall be responsible for demonstrating adequate services and upgrading services if determined inadequate. Middle housing units are subject to all policies, procedures, permitting and fees, including impact fees for providing or upgrading utility services.
- (h) Solid waste service. Refer to Chapter 11, Solid Waste Code for information on residential garbage collection. Commercial service from an authorized solid waste collector and a trash enclosure may be required.
- (i) Parking. One (1) off-street parking space shall be required for each middle housing dwelling unit, with a minimum of two (2) of the spaces covered.

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- (j) Landscaping. Middle housing shall provide landscaping in compliance with Article 12, Section 28-294(b)(2). The zoning administrator may authorize reduced landscaping quantities if easements or other special site conditions reduce the available planting area.
 - (k) Middle housing is subject to Article 2, Section 28-33(j) regarding home-based occupations.
 - (l) This Article does not supersede applicable building codes, fire codes, or public health and safety regulations, except that the city may not require middle housing to comply with a commercial building code or contain fire sprinklers.






28-324 Design standards.

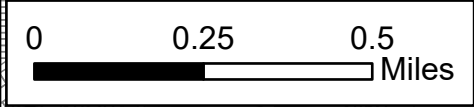
- (a) The Single-Family Residential design manual adopted by the city council and maintained by the zoning administrator or designee shall serve as a framework for site and architectural design of middle housing in all districts.

28-325—28-330 Reserved.



Legend

-  CBD for Middle Housing
-  Zoned For Single Family Residential Use
-  City Owned and Zoned for SFR
-  1 Mile Radius
-  City Boundary



CENTRAL BUSINESS DISTRICT FOR MIDDLE HOUSING WITH 1 MILE RADIUS