

ORDINANCE NO. 2594

AN ORDINANCE OF THE COMMON COUNCIL OF THE TOWN OF GILBERT, ARIZONA, AMENDING THE LAND DEVELOPMENT CODE OF GILBERT, ARIZONA, CHAPTER I ZONING REGULATIONS, DIVISION 2 LAND USE DESIGNATIONS, BY ADDING A NEW ARTICLE 2.9 USE REGULATIONS; CHAPTER I ZONING REGULATIONS, DIVISION 2 LAND USE DESIGNATIONS, ARTICLE 2.1 SINGLE FAMILY RESIDENTIAL DISTRICTS, BY AMENDING SECTION 2.103 LAND USE REGULATIONS, ARTICLE 2.2 MULTI-FAMILY RESIDENTIAL DISTRICTS, BY AMENDING SECTION 2.203 LAND USE REGULATIONS, ARTICLE 2.3 COMMERCIAL DISTRICTS, BY AMENDING SECTIONS 2.303 LAND USE REGULATIONS AND 2.306 ADDITIONAL USE REGULATIONS, ARTICLE 2.4 HERITAGE VILLAGE CENTER ZONING DISTRICT, BY AMENDING SECTIONS 2.402 LAND USE REGULATIONS AND 2.405 ADDITIONAL USE REGULATIONS, ARTICLE 2.5 OFFICE DISTRICTS, BY AMENDING SECTION 2.503 LAND USE REGULATIONS, ARTICLE 2.6 EMPLOYMENT DISTRICTS, BY AMENDING SECTION 2.603 LAND USE REGULATIONS, ARTICLE 2.7 PUBLIC FACILITY/INSTITUTIONAL DISTRICT, BY AMENDING SECTION 2.702 LAND USE REGULATIONS, ARTICLE 2.8 GATEWAY DISTRICTS, BY AMENDING SECTIONS 2.803 LAND USE REGULATIONS AND 2.805 ADDITIONAL USE REGULATIONS RELATED TO THE DELETION OF THE LAND USE REGULATIONS TABLES WITHIN EACH SECTION AND THE CREATION OF ONE COMPREHENSIVE LAND USE TABLE 2.902 AND MODIFYING, ADDING TO AND DELETING USES FROM THE TABLE AND UPDATING REFERENCES TO THE TABLES; CHAPTER I ZONING REGULATIONS, DIVISION 3 OVERLAY DISTRICT REGULATIONS, ARTICLE 3.3 SANTAN FREEWAY CORRIDOR OVERLAY DISTRICT, SECTION 3.302 APPLICABILITY, DIVISION 4 GENERAL REGULATIONS, ARTICLE 4.7 WIRELESS COMMUNICATION FACILITIES SECTION 4.703 USE AND DEVELOPMENT REGULATIONS RELATED TO THE REPLACEMENT OF THE TERM RELIGIOUS ASSEMBLY WITH PLACE OF WORSHIP; CHAPTER I ZONING REGULATIONS, DIVISION 4 GENERAL REGULATIONS, ARTICLE 4.2 OFF-STREET PARKING AND LOADING REGULATIONS, SECTION 4.204 OFF-STREET PARKING REQUIREMENTS RELATED TO THE REPLACEMENT OF THE TERM CLUBS AND LODGES WITH CIVIC SOCIAL AND FRATERNAL ORGANIZATIONS AND THE ADDITION OF THE TERM UNIVERSITY TO THE COLLEGES, PUBLIC OR PRIVATE USE; CHAPTER I ZONING REGULATIONS, DIVISION 4 GENERAL REGULATIONS, ARTICLE 4.6 NON-CONFORMING USES, LOTS, PARCELS, STRUCTURES AND SIGNS, SECTION 4.603

GENERAL PROVISIONS AND 4.605 REPAIR OR REBUILDING OF A DAMAGED STRUCTURE, RELATED TO UPDATING THE SECTION REFERENCE FOR THE LAND USE TABLE; CHAPTER I ZONING REGULATIONS, DIVISION 6 USE DEFINITIONS; AND GLOSSARY OF GENERAL TERMS, RELATED TO ADDITIONS, DELETIONS, AND UPDATES TO EXISTING USE DEFINITIONS AND GLOSSARY TERMS. PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING PENALTIES.

WHEREAS, by adoption of this Ordinance, the Town Council desires to reorganize the Land Development Code to improve ease of use for both customers and employees; and

WHEREAS, Town Council recognizes that new types of land uses will develop in the Town that are not specifically listed and updates to use definitions and the land use table are necessary;

WHEREAS, the Council has determined that the proposed Land Development Code text amendment will provide for the efficient regulation of land uses within the Town, and it is in the best interest of the public health, safety and general welfare of the Town to adopt the proposed text amendment; and

WHEREAS, all required public notice was provided and all required public meetings and hearings were held in accordance with applicable state and local laws;

NOW THEREFORE, BE IT ORDAINED by the Common Council of the Town of Gilbert, Arizona, as follows:

Section I. In General.

The Land Development Code of Gilbert, Arizona, Chapter I Zoning Regulations, Division 2 Land Use Designations, Article 2.1 Single Family Residential Districts, Section 2.103 Land Use Regulations, is hereby amended to read as follows (additions in ALL CAPS; deletions in ~~strikeout~~):

2.103 Land Use Regulations

A. ***Regulations.*** ~~Table 2.103: Land Use Regulations—Single Family Residential Districts~~
TABLE 2.902 – USE REGULATIONS sets forth the land use regulations for single family residential districts. The regulations for each district are established by letter designations as follows:

"P" designates permitted uses.

"L" designates uses that are permitted subject to certain limitations. Number designations refer to the limitations listed at the bottom of ~~Table 2.103: Land Use Regulations—Single Family Residential Districts~~ 2.902: USE REGULATIONS.

"T" designates uses that are permitted to be conducted for a temporary period of time. Time limitations are listed in Table 4.5012: Temporary Uses.

"A" designates uses that require an Administrative Use Permit pursuant to Article 5.4: Use Permits.

"U" designates uses that require a Conditional Use Permit pursuant to Article 5.4: Use Permits.

"S" designates uses that require a Special Use Permit pursuant to Article 5.4: Use Permits.

- B. **Unlisted Uses.** Uses are defined in Article 6.1: Use Definitions. If a proposed use is not listed in the Use Definitions, the Zoning Administrator shall determine if the proposed use is substantially similar to a permitted use; in that event, the Zoning Administrator shall assign the proposed use to a permitted use definition.
- C. **Prohibited Uses.** Uses not listed in Table 2.103: Land Use Regulations—Single Family Residential Districts below or not assigned to a Use Definition pursuant to Section 2.103B: Unlisted Uses are prohibited.
- D. **Additional Use Regulations.** Additional use regulations for single family residential districts are set forth in Section 2.107: Additional Use Regulations.

Table 2.103: Land Use Regulations—Single Family Residential Districts

Use Classification	SF-43	SF-35	SF-15	SF-10	SF-8	SF-7	SF-6	SF-D	SF-A	Additional Regulations
Airfield, Private	U	U	--	--	--	--	--	--	--	
Agritainment	S	S	S	S	S	S	S	--	--	
Amateur Radio Facilities	L1	L1	L1	L1	L1	L1	L1	L1	L1	See Article 4.8
Animal Raising, Non-Commercial	P	P	P	P	P	L7 L8	L7 L8	L7 L8	--	See Section 2.107
Banquet Facility	U	U	--	--	--	--	--	--	--	
Bed and Breakfast Homes	U	U	--	--	--	--	--	--	--	
Carnival, Small-Scale	T	T	T	T	T	T	T	--	--	See Section 4.5012
Cemetery	U	U	U	U	U	U	U	--	--	See Section 4.509
Cemetery, Pet	U	U	--	--	--	--	--	--	--	
Congregate Living Facility	U	U	--	--	--	--	--	--	--	
Crop and Animal Raising, Commercial	P	P	--	--	--	--	--	--	--	See Section 2.107
Crop Raising, Non-Commercial	P	P	P	P	P	P	P	P	P	
Day Care, Home Occupation	L1	L1	L1	L1	L1	L1	L1	L1	L1	See Section 4.502
Day Care, Residential	L1	L1	L1	L1	L1	L1	L1	L1	L1	See Section 4.503
Entertainment and Recreation, Outdoor	L1	L1	L1	L1	L1	L1	L1	L1	L1	
Equestrian Arena	U	U	--	--	--	--	--	--	--	
Farm Stand	P	P	--	--	--	--	--	--	--	See Section 4.507
Feed Lot	U	U	--	--	--	--	--	--	--	
Golf Course	U	U	U	U	U	U	U	U	U	
Government Offices and Facilities Small-Scale	P	P	P	P	P	P	P	P	P	
Group Homes for the Handicapped	P	P	P	P	P	P	P	P	P	See Section 4.504
Guest Quarters	L1	L1	L1	L1	L1	L1	L1	--	--	See Section 2.106

Table 2.103: Land Use Regulations—Single Family Residential Districts

Use Classification	SF-43	SF-35	SF-15	SF-10	SF-8	SF-7	SF-6	SF-D	SF-A	Additional Regulations
Haunted House	T	T	T	T	T	T	T	-	-	See Section 4.5012
Heliport/Helipad	U	U	-	-	-	-	-	-	-	
Home Occupation	L1	L1	See Section 4.502							
Homeowners Association Facilities	P	P	P	P	P	P	P	P	P	
Laundry Services	-	-	-	-	-	-	-	L1	L1	
Model Home Complex	P	P	P	P	P	P	P	P	P	See Section 2.106
Over-The-Air Reception Device	P	P	P	P	P	P	P	P	P	See Article 4.8
Place of Worship <i>Large Scale</i>	U	U	U	U	U	U	U	-	-	See Section 4.505
<i>Small Scale</i>	L2 L3 L4	- - -								
Public Safety Facilities <i>Large Scale</i>	P	P	P	P	P	P	P	P	P	
Recovery Residence	P	P	P	P	P	P	P	P	P	See Section 4.5015
Recreational Vehicle Storage, Residential Association	P	P	P	P	P	P	P	P	P	
Residential, Permanent <i>Single Family</i>	P	P	P	P	P	P	P	P	P	
<i>Secondary Dwelling</i>	A	A	A	A	A	A	A	-	-	See Section 2.106
Satellite Dish Antenna, <i>Large</i>	L1	L1	See Article 4.8							
Schools, Public Or Private <i>Large Scale</i>	L2 L3 L4	- - -								
<i>Small Scale</i>	L2 L3 L4	- - -								
Shelter Care Facility <i>Small Scale</i>	P	P	P	P	P	P	P	-	-	
Stables, Commercial	U	U	-	-	-	-	-	-	-	See Section 2.107
Stables, Non-Commercial	L1	L1	L1	L1	L1	-	-	-	-	See Section 2.107
Utilities										
<i>Facilities</i>	S	S	S	S	S	S	S	S	S	
<i>Well Site</i>	P	P	P	P	P	P	P	P	P	
Waste Management <i>Non-Hazardous Material Recycling Collection Facility, Small Scale</i>	L5	-	-							
Wireless Communication Facilities										
<i>Alternative Light Poles</i>	L6	L6	See Article 4.7							
<i>Support Structures Other Than Those Listed Above</i>	A	A	A	A	A	A	A	A	A	See Article 4.7

Limitations

L1—Only as a use incidental to the principal use of the property.

~~L2 – Public and Private Schools and Place of Worship uses shall be located on collector or arterial streets. Conditional Use Permit approval is required for any other location.~~

~~L3 – Public and Private Schools and Place of Worship uses are not permitted in single family residential structures.~~

~~L4 – Unlighted Outdoor Entertainment and Recreation uses are permitted in conjunction with Public and Private Schools and Place of Worship uses; lighted Outdoor Entertainment and Recreation uses in conjunction with Public and Private Schools and Place of Worship uses require a Conditional Use Permit.~~

~~L5 – Limited to parcels containing Schools and Place of Worship uses. Administrative Use Permit is required.~~

~~L6 – Alternative Light Poles may be located on property zoned residential and operated as an electric substation, Public and Private School, public park, or Place of Worship. Conditional Use Permit is required.~~

~~L7 – Only permitted in this zoning district where the lot size is at least 6,000 square feet.~~

~~L8 – Peacock not permitted in this zoning district.~~

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The Land Development Code of Gilbert, Arizona, Chapter I Zoning Regulations, Division 2 Land Use Designations, Article 2.2 Multi Family Residential Districts, Section 2.203 Land Use Regulations, is hereby amended to read as follows (additions in ALL CAPS; deletions in ~~strikeout~~):

2.203 Land Use Regulations

A. **Regulations.** ~~Table 2.203: Land Use Regulations – Multi Family Residential Districts~~ TABLE 2.902 – USE REGULATIONS sets forth the land use regulations for multi-family residential districts. The regulations for each district are established by letter designations as follows:

"P" designates permitted uses.

"L" designates uses that are permitted subject to certain limitations. Number designations refer to the limitations listed at the bottom of ~~Table 2.203: Land Use Regulations – Multi-Family Residential Districts~~ 2.902: USE REGULATIONS.

"T" designates uses that are permitted to be conducted for a temporary period of time. Time limitations are listed in Table 4.5012: Temporary Uses.

"A" designates uses that require an Administrative Use Permit pursuant to Article 5.4: Use Permits.

"U" designates uses that require a Conditional Use Permit pursuant to Article 5.4: Use Permits.

"S" designates uses that require a Special Use Permit pursuant to Article 5.4: Use Permits.

B. **Unlisted Uses.** Uses are defined in Article 6.1: Use Definitions. If a proposed use is not listed in the Use Definitions, the Zoning Administrator shall determine if the proposed use is substantially similar to a permitted use; in that event, the Zoning Administrator shall assign the proposed use to a permitted use definition.

C. **Prohibited Uses.** Uses not listed in ~~Table 2.203: Land~~ 2.902: Use Regulations – ~~Multi-Family Residential Districts~~ below or not assigned to a Use Definition pursuant to Section 2.203B: Unlisted Uses are prohibited.

D. **Additional Use Regulations.** Additional use regulations for multi-family residential districts are set forth in Section 2.205: Additional Use Regulations.

Table 2.203: Land Use Regulations—Multi-Family Residential Districts

Use Classification	MF-L	MF-M	Additional Regulations
Agritainment	S	S	
Amateur Radio Facilities	L1	L1	See Article 4.8
Carnival, Small-Scale	T	T	See Section 4.5012
Congregate Living Facility	U	U	
Crop Raising, Non-Commercial	P	P	
Day Care Center	L2	—	
Day Care, Home Occupation	L1	L1	See Section 4.502
Day Care, Residential	L1	L1	See Section 4.503
Entertainment and Recreation, Outdoor	L1	L1	
Golf Course	U	U	
Government Offices and Facilities <i>Small-Scale</i>	P	P	
Group Homes for the Handicapped	P	P	See Section 4.504
Haunted Houses	T	T	See Section 4.5012
Home Occupation	P	P	See Section 4.502
Homeowners Association Facilities	P	P	
Laundry Services	L1	L1	
Over-The-Air Reception Device	P	P	See Article 4.8
Place of Worship <i>Small-Scale</i>	L2, L3, L4	L2, L3, L4	See Section 4.505
Public Safety Facility <i>Large-Scale</i>	P	P	
Recovery Residence	P	P	See Section 4.5015
Residential, Permanent <i>Single Family</i>	L7		See Sections 4.603C and 4.605B
<i>Multi-Family</i>	P	P	
Satellite Dish Antenna, Large	L1	L1	See Article 4.8
Schools, Public Or Private <i>Small-Scale</i>	L2, L3, L4	L2, L3, L4	
Senior Housing	P	P	
Shelter Care Facility <i>Large-Scale</i>	U	U	
Utilities <i>Facilities</i>	S	S	
<i>Well Site</i>	P	P	
Waste Management <i>Non-Hazardous Material Recycling Collection Facility—Small-Scale</i>	L5	L5	
Wireless Communication Facilities <i>Alternative Light Poles</i>	L6	L6	See Article 4.7
<i>Support Structures Other Than Those Listed Above</i>	A	A	See Article 4.7

Limitations

L1—Only as a use incidental to the principal use of the property.

~~L2 – Day Care Centers, Public and Private Schools, and Place of Worship uses shall be located on collector or arterial streets. Conditional Use Permit approval is required for any other location.~~

~~L3 – Clubs and Lodges, Community Service Facilities, Public and Private Schools, and Place of Worship uses are not permitted in multi-family residential structures.~~

~~L4 – Unlighted Outdoor Entertainment and Recreation uses are permitted in conjunction with Public and Private Schools and Place of Worship uses; lighted Outdoor Entertainment and Recreation uses in conjunction with Public and Private Schools and Place of Worship uses require a Conditional Use Permit.~~

~~L5 – Limited to parcels containing Schools and Place of Worship uses. Administrative Use Permit is required.~~

~~L6 – Alternative Light Poles may be located on property zoned residential and operated as an electric substation, Public and Private School, public park, or Place of Worship. Conditional Use Permit is required.~~

~~L7 – Legal non-conforming single family uses existing prior to March 3, 2005 may be expanded and/or repaired without limitation on valuation in conformance with site development regulations applicable to the Single Family Detached (SF D) zoning district as set forth in Table 2.104: Lot Development Regulations – Single Family Residential Districts.~~

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The Land Development Code of Gilbert, Arizona, Chapter I Zoning Regulations, Division 2 Land Use Designations, Article 2.3 Commercial Districts, Section 2.303 Land Use Regulations, is hereby amended to read as follows (additions in ALL CAPS; deletions in ~~strikeout~~):

2.303 Land Use Regulations

A. **Regulations.** ~~Table 2.303: Land Use Regulations – Commercial Districts~~ TABLE 2.902 – USE REGULATIONS sets forth the land use regulations for commercial districts. The regulations for each district are established by letter designations as follows:

"P" designates permitted uses.

"L" designates uses that are permitted subject to certain limitations. Number designations refer to the limitations listed at the bottom of ~~Table 2.303: Land Use Regulations – Commercial Districts~~ 2.902: USE REGULATIONS.

"T" designates uses that are permitted to be conducted for a temporary period of time. Time limitations are listed in Table 4.5012: Temporary Uses.

"A" designates uses that require an Administrative Use Permit pursuant to Article 5.4: Use Permits.

"U" designates uses that require a Conditional Use Permit pursuant to Article 5.4: Use Permits.

"S" designates uses that require a Special Use Permit pursuant to Article 5.4: Use Permits.

B. **Unlisted Uses.** Uses are defined in Article 6.1: Use Definitions. If a proposed use is not listed in the Use Definitions, the Zoning Administrator shall determine if the proposed use is substantially similar to a permitted use; in that event, the Zoning Administrator shall assign the proposed use to a permitted use definition.

- C. **Prohibited Uses.** Uses not listed in Table 2.303: ~~Land 2.902: Use Regulations – Commercial Districts~~ below or not assigned to a Use Definition pursuant to Section 2.303B: Unlisted Uses are prohibited.
- D. **Additional Use Regulations.** Additional use regulations for commercial districts are set forth in Section 2.306: Additional Use Regulations.

Table 2.303: Land Use Regulations – Commercial Districts

Use Classification	NC	CC	SC	GC	RC	Additional Regulations
Agritainment	S	S	S	S	S	
Amateur Radio Facilities	L1	L1	L1	L1	L1	See Article 4.8
Ambulance Services	--	--	P	P	P	
Animal Services						
<i>Animal Grooming</i>	P	P	P	P	P	See Section: 4.508
<i>Animal Shelter</i>	--	--	--	U	--	
<i>Kennel</i>	--	U	U	P	P	
<i>Large Animal Hospitals</i>	--	--	--	P	U	
<i>Small Animal Clinics</i>	P	P	P	P	P	
Automated Teller Machine	L1	L1	L1	L1	L1	
Automated Teller Machine, Remote	U	A	A	A	A	
Banks and Other Financial Institutions	U	P	P	P	P	
Banquet Facility	U	P	P	P	P	
Building Maintenance Services	--	P	P	P	P	
Building Material and Home Improvement Sales and Service, Retail						
<i>Large Scale</i>	--	U	U	P	P	
<i>Small Scale</i>	P	P	P	P	P	
Business Services	P	P	P	P	P	
Call Centers	--	--	U	U	U	
Carnival						
<i>Large Scale</i>	--	T	T	T	T	See Section: 4.5012
<i>Small Scale</i>	T	T	T	T	T	
Clubs and Lodges	--	L2	L2	L2	--	
Colleges, Public or Private	--	P	P	P	P	
Congregate Living Facility	--	U	U	P	P	
Convention Center	--	--	--	U	U	
Cultural Institutions	P	P	P	P	P	
Day Care Centers	P	P	P	P	P	
Dry Cleaning and Laundry Outlet	P	P	P	P	P	
Eating and Drinking Establishments						
<i>Bars/Nightclubs/Lounges/Dance Halls</i>	U	P	P	P	P	
<i>Restaurants, Beverage Service</i>	P	P	P	P	P	
<i>Restaurants, Full Service</i>	P	P	P	P	P	
<i>Restaurants, Limited Service</i>	U	P	P	P	P	
Entertainment and Recreation, Indoor						
<i>Large Scale</i>	--	P	P	P	P	
<i>Small Scale</i>	P	P	P	P	P	
Entertainment and Recreation, Outdoor	--	U	U	P	P	

Table 2.303: Land Use Regulations – Commercial Districts

<i>Use Classification</i>	<i>NC</i>	<i>CC</i>	<i>SC</i>	<i>GC</i>	<i>RC</i>	<i>Additional Regulations</i>
Farm Stand	--	A	A	A	A	See Section: 4.507
Farmers' Market	--	A	A	A	A	
Feed and Tack Sales	--	U	U	U	U	
Food Preparation <i>Small-Scale</i>	P	P	P	P	P	
Funeral and Undertaking Services	P	P	P	P	P	
Garden Supply Stores and Plant Nurseries	--	--	P	P	P	
Government Offices and Facilities <i>Large-Scale</i>	--	P	P	P	P	
<i>Small-Scale</i>	P	P	P	P	P	
Haunted House	T	T	T	T	T	See Section: 4.5012
Health Care Facilities <i>Hospital</i>	--	--	--	P	P	
<i>Urgent Care Facility</i>	P	P	P	P	P	
<i>Medical Offices and Clinics</i>	P	P	P	P	P	
Heliport/Helipad	--	--	--	U	U	
Home Occupation	--	P	P	P	P	See Section: 4.502
Homeowners Association Facilities	P	P	P	P	P	
Hotels and Commercial Lodging	--	--	--	P	P	
Instructional Services, Specialized	P	P	P	P	P	
Laboratories, Commercial	P	P	P	P	P	
Laundry Services	P	P	P	P	P	
Maintenance and Repair Services	L4	P	P	P	P	
Manufacturing and Assembly <i>Artisan</i>	P	P	P	P	P	
Non-Chartered Financial Institution	--	U	U	U	U	See Section 4.5010
Nursing Home	--	--	U	P	P	
Offices, General	P	P	P	P	P	
Over-The-Air Reception Device	P	P	P	P	P	See Article 4.8
Park and Ride Lot	--	P	P	P	P	
Parking Facilities	--	--	--	U	U	
Pawn Shops	--	L5	L5	L5	L5	See Section 4.5010
Personal Services	L6	L6	L6	L6	L6	
Place of Worship <i>Large-Scale</i>	--	--	--	U	--	See Section: 4.505
<i>Small-Scale</i>	L2, L3	L2, L3	L2, L3	L2, L3	--	
Public Safety Facilities <i>Large-Scale</i>	--	P	P	P	P	
<i>Small-Scale</i>	P	P	P	P	P	
Recreational Vehicle Park	--	--	--	P	P	
Residential, Permanent <i>Loft Unit</i>	--	P	P	P	P	
<i>Multi-Family</i>	--	--	--	--	L7	See Section 2.306
Retail Sales, Convenience	U	P	P	P	P	
Retail Sales, Furniture <i>Large-Scale</i>	U	P	P	P	P	
<i>Small-Scale</i>	P	P	P	P	P	
Retail Sales, General	P	P	P	P	P	

Table 2.303: Land Use Regulations—Commercial Districts

Use Classification	NC	CC	SC	GC	RC	Additional Regulations
Satellite Dish Antenna, Large	L1	L1	L1	L1	L1	See Article 4.8
Satellite Earth Stations <i>Small-Scale</i>	P	P	P	P	P	See Article 4.8
Schools, Public Or Private <i>Large-Scale</i>	U	U	U	U	--	
<i>Small-Scale</i>	L2, L3	L2, L3	L2, L3	L2, L3	--	
Seasonal Sales	T	T	T	T	T	See Section: 4.5012
Sexually-Oriented Business	--	--	--	U	--	See Section: 4.5011
Shelter Care Facility <i>Large-Scale</i>	U	U	U	P	P	
Shelter Care Facility, Homeless	--	--	--	U	--	
Stand-alone Smoking Lounge	--	U	U	U	U	See Section 4.5010
Storage, Personal Property <i>Indoor</i>	--	P	P	P	P	
<i>Outdoor</i>	--	U	U	P	P	
Swap Meet and Auction, Single-Event <i>Indoor</i>	--	T	T	T	T	See Section: 4.5012
<i>Outdoor</i>	--	--	--	T	T	
Swap Meet and Auction, Recurring <i>Indoor</i>	--	U	U	P	U	
<i>Outdoor</i>	--	--	--	U	--	
Tattoo / Piercing Studio	--	U	U	U	U	See Section 4.5010
Teen Nightclub	U	P	P	P	P	
Transportation Passenger Terminals	--	--	--	P	P	
Utilities <i>Facilities</i>	S	S	S	S	S	
<i>Well Site</i>	P	P	P	P	P	
Vehicle and Equipment Sales, Leasing and Services <i>Car Wash, Automated or Self- Service</i>	U	P	P	P	P	See Section: 2.305
<i>Car Wash, Full-Service</i>	--	U	P	P	P	
<i>Commercial Vehicle/Equipment Sales and Rental; New and Used</i>	--	L1	L1	U	U	See Section 2.305D.3
<i>Fueling Facility</i>	U	P	P	P	P	
<i>Fueling Facility, Alternative</i>	A	P	P	P	P	
<i>Fueling Facility, Fleet</i>	--	--	--	A	A	
<i>Motor Vehicle Sales and Leasing, New and Used</i>	--	--	--	P	P	
<i>Non-Commercial Vehicle Rental</i>	--	A	A	P	P	
<i>Tent Sale</i>	--	--	--	T	T	See Section: 4.5012
<i>Vehicle Services, Heavy</i>	--	--	--	U	U	
<i>Vehicle Services, Light</i>	U	P	P	P	P	
Waste Management <i>Non-Hazardous Material Recycling Collection Facility, Small-Scale</i>	A	A	A	A	A	
Wireless Communication Facilities <i>Alternative Light Poles</i>	--	U	U	U	U	See Article 4.7

Table 2.303: Land Use Regulations—Commercial Districts

<i>Use Classification</i>	<i>NC</i>	<i>CC</i>	<i>SC</i>	<i>GC</i>	<i>RC</i>	<i>Additional Regulations</i>
<i>Support Structures Other Than Those Listed Above</i>	A, L8	A	A	A	A	See Article 4.7

Limitations

- ~~L1— Only as a use incidental to the principal use of the property.~~
- ~~L2— Clubs and Lodges, Public and Private Schools, and Place of Worship uses shall be located on collector or arterial streets. Conditional Use Permit approval is required for any other location.~~
- ~~L3— Unlighted Outdoor Entertainment and Recreation uses are permitted in conjunction with Public and Private Schools and Place of Worship uses; lighted Outdoor Entertainment and Recreation uses in conjunction with Public and Private Schools and Place of Worship uses require a Conditional Use Permit.~~
- ~~L4— Maximum gross floor area permitted: 2,000 sq. ft.~~
- ~~L5— See Gilbert Municipal Code Chapter 14, Article VII for business regulations.~~
- ~~L6— Permitted use. See Gilbert Municipal Code Chapter 14, Article XI for additional regulations regarding massage establishments and therapists.~~
- ~~L7— Only permitted as part of an integrated, mixed-use plan. Conditional Use Permit required, subject to the additional findings required pursuant to Section 2.306(H).~~
- ~~L8— Maximum height of alternative WCF structures is 40'.~~

* * *

The Land Development Code of Gilbert, Arizona, Chapter I Zoning Regulations, Division 2 Land Use Designations, Article 2.3 Commercial Districts, Section 2.306 Additional Use Regulations, is hereby amended to read as follows (additions in ALL CAPS; deletions in ~~strikeout~~):

- C. ***Outdoor Retail Sales and Merchandise Display.*** Outdoor retail sales and merchandise displays shall be located and conducted in compliance with the following requirements. Garden Supply Stores and Plant Nurseries and uses that are permitted to be conducted for a temporary period of time as listed in ~~Table 2.303: Land Use Regulations—Commercial Districts~~ **TABLE 2.902- USE REGULATIONS** are not outdoor retail sales and merchandise display under this section.

* * *

The Land Development Code of Gilbert, Arizona, Chapter I Zoning Regulations, Division 2 Land Use Designations, Article 2.4 Heritage Village Center Zoning Districts, Section 2.402 Land Use Regulations, is hereby amended to read as follows (additions in ALL CAPS; deletions in ~~strikeout~~):

2.402 Land Use Regulations

- A. ***Regulations.*** ~~Table 2.402: Land Use Regulations—Heritage Village Center District~~ **TABLE 2.902 – USE REGULATIONS** sets forth the land use regulations for the Heritage Village Center zoning district. The regulations are established by letter designations as follows:

"P" designates permitted uses.

"L" designates uses that are permitted subject to certain limitations. Number designations refer to the limitations listed at the bottom of Table 2.402: ~~Land Use Regulations – Heritage Village Center District~~ 2.902: USE REGULATIONS.

"T" designates uses that are permitted to be conducted for a temporary period of time. Time limitations are listed in Table 4.5012: Temporary Uses.

"A" designates uses that require an Administrative Use Permit pursuant to Article 5.4: Use Permits.

"U" designates uses that require a Conditional Use Permit pursuant to Article 5.4: Use Permits.

"S" designates uses that require a Special Use Permit pursuant to Article 5.4: Use Permits.

- B. **Unlisted Uses.** Uses are defined in Article 6.1: Use Definitions. If a proposed use is not listed in the Use Definitions, the Zoning Administrator shall determine if the proposed use is substantially similar to a permitted use; in that event, the Zoning Administrator shall assign the proposed use to a permitted use definition.
- C. **Prohibited Uses.** Uses not listed in Table 2.402: ~~Land~~ 2.902: Use Regulations – ~~Heritage Village Center District~~ below or not assigned to a Use Definition pursuant to Section 2.402B: Unlisted Uses are prohibited.
- D. **Additional Use Regulations.** Additional use regulations for the Heritage Village Center District are set forth in Section 2.405: Additional Use Regulations.

Table 2.402: Land Use Regulations – Heritage Village Center District

Use Classification	HVC	Additional Regulations
Amateur Radio Antenna Structure	L1	See Article 4.8
Animal Services		
<i>Animal Grooming</i>	P	See Section: 4.508
<i>Small Animal Clinics</i>	P	
Automated Teller Machine	L1, L2a	
Automated Teller Machine, Remote	A, L2a	
Banks and Other Financial Institutions	L2a	
Bed and Breakfast Homes	U	
Building Material and Home Improvement Sales and Service, Retail		
<i>Small-Scale</i>	U	
Business Services	P	
Carnival		
<i>Non-Commercial</i>	T	See Section: 4.5012
Clubs and Lodges	P	
Colleges, Public or Private	P	
Congregate Living Facility	U	
Cultural Institutions	P	
Day Care, Home Occupation	L1	See Section 4.502

Table 2.402: Land Use Regulations – Heritage Village Center District

Use Classification	HVC	Additional Regulations
Day Care, Residential	L1	See Section 4.503
Dry Cleaning and Laundry Outlet	L2a	
Eating and Drinking Establishments		
<i>Bars/Night Clubs/Lounges/Dance Halls</i>	P	
<i>Restaurants, Beverage Service</i>	L2b	
<i>Restaurants, Full Service</i>	P	
<i>Restaurants, Limited Service</i>	L2b	
Entertainment and Recreation, Indoor		
<i>Small Scale</i>	U	
<i>Large Scale</i>	U	
Entertainment and Recreation, Outdoor	U	
Farmer's Market	A	
Funeral and Undertaking Services	U	
Government Offices and Facilities		
<i>Small Scale</i>	P	
Haunted House	T	See Section: 4.5012
Health Care Facilities		
<i>Urgent Care Facility</i>	P	
<i>Medical Offices And Clinics</i>	L3	
Home Occupation	L1	See Section: 4.502
Hotels and Commercial Lodging	U	
Instructional Services, Specialized	P	
Laundry Services	P	
Loft Unit	L4	
Maintenance and Repair Services	P	
Manufacturing and Assembly		
<i>Artisan</i>	P	
Non-Chartered Financial Institution	U	See Section: 4.5010
Offices, General	L3	
Park and Ride Lot	U	
Parking Facilities	U	
Pawn Shops	U	See Section: 4.5010
Personal Services	P	
Place of Worship		
<i>Small Scale</i>	P	See Section: 4.505
Public Safety Facilities		
<i>Small Scale</i>	P	
Residential, Permanent		
<i>Multi-Family</i>	L3	
Retail Sales, Furniture		
<i>Large Scale</i>	U	
<i>Small Scale</i>	P	
Retail Sales, General	L2a	
Schools, Public Or Private		
<i>Small Scale</i>	L5	
Seasonal Sales	T	See Section: 4.5012
Stand-alone Smoking Lounge	U	See Section: 4.5010
Tattoo / Piercing Studio	U	See Section: 4.5010
Teen Nightclub	P	
Transportation Passenger Terminals	U	

Table 2.402: Land Use Regulations—Heritage Village Center District

<i>Use Classification</i>	<i>HVC</i>	<i>Additional Regulations</i>
Utilities		
<i>Facilities</i>	S	
<i>Well Site</i>	P	
Waste Management		
<i>Non-Hazardous Material Recycling Collection Facility Small-Scale</i>	A	
Wireless Communication Facilities		
<i>Alternative Light Poles</i>	U	See Article 4.7
<i>Support Structures Other Than Those Listed Above</i>	A	

Limitations

~~L1— Only as a use incidental to the principal use of the property.~~

~~L2a— Drive through facilities prohibited.~~

~~L2b— Existing drive through facilities located north of the Western Canal may continue to operate as drive through facilities until the drive through facility is removed or converted to be part of the structure. Existing Service Bay facilities located north of the Western Canal may convert to a drive through facility only for the Restaurant, Beverage Service or Restaurants, Limited Service uses and only until the drive through facility is removed or converted to be part of the structure. A Use Permit is required.~~

~~L3— Use Permit required for ground floor location.~~

~~L4— Permitted only above the ground floor of a mixed use building.~~

~~L5— Permitted only above the ground floor of a mixed use building within 300' of Gilbert Road; permitted use in other locations.~~

* * *

The Land Development Code of Gilbert, Arizona, Chapter I Zoning Regulations, Division 2 Land Use Designations, Article 2.4 Heritage Village Center Zoning Districts, Section 2.405 Additional Use Regulations, is hereby amended to read as follows (additions in ALL CAPS; deletions in ~~strikeout~~):

- B. ***Outdoor Retail Sales and Merchandise Display.*** Outdoor retail sales and merchandise displays shall be located and conducted in compliance with the following requirements. Uses that are permitted to be conducted for a temporary period of time as listed in ~~Table 2.402: Land Use Regulations—Heritage Village Center District~~ **TABLE 2.902 - USE REGULATIONS** are not outdoor retail sales and merchandise display under this section.

* * *

The Land Development Code of Gilbert, Arizona, Chapter I Zoning Regulations, Division 2 Land Use Designations, Article 2.5 Office Districts, Section 2.503 Land Use Regulations, is hereby amended to read as follows (additions in ALL CAPS; deletions in ~~strikeout~~):

2.503 Land Use Regulations

- A. ***Regulations.*** ~~Table 2.503: Land Use Regulations—Office Districts~~ **TABLE 2.902 – USE REGULATIONS** sets forth the land use regulations for office districts. The regulations for each district are established by letter designations as follows:

"P" designates permitted uses.

"L" designates uses that are permitted subject to certain limitations. Number designations refer to the limitations listed at the bottom of Table 2.503: ~~Land Use Regulations—Office Districts~~ 2.902: USE REGULATIONS.

"T" designates uses that are permitted to be conducted for a temporary period of time. Time limitations are listed in Table 4.5012: Temporary Uses.

"A" designates uses that require an Administrative Use Permit pursuant to Article 5.4: Use Permits.

"U" designates uses that require a Conditional Use Permit pursuant to Article 5.4: Use Permits.

"S" designates uses that require a Special Use Permit pursuant to Article 5.4: Use Permits.

- B. **Unlisted Uses.** Uses are defined in Article 6.1: Use Definitions. If a proposed use is not listed in the Use Definitions, the Zoning Administrator shall determine if the proposed use is substantially similar to a permitted use; in that event, the Zoning Administrator shall assign the proposed use to a permitted use definition.
- C. **Prohibited Uses.** Uses not listed in Table 2.503: ~~Land~~ 2.902: Use Regulations —~~Office Districts below~~ or not assigned to a Use Definition pursuant to Section 2.503B: Unlisted Uses are prohibited.
- D. **Additional Use Regulations.** Additional use regulations for office districts are set forth in Section 2.506: Additional Use Regulations.

Table 2.503: Land Use Regulations — Office Districts

<i>Use Classification</i>	<i>NO</i>	<i>GO</i>	<i>Additional Regulations</i>
Agritainment	S	S	
Amateur Radio Facilities	L1	L1	See Article 4.8
Ambulance Services	--	P	
Automated Teller Machine	L1	P	
Automated Teller Machine, Remote	--	P	
Banks and Other Financial Institutions	L2	P	
Business Services	P	P	
Call Center	--	P	
Carnival, Small-Scale	T	T	See Section 4.5012
Clubs and Lodges	--	L3	
Colleges, Public or Private	U	P	
Congregate Living Facility	--	U	
Cultural Institutions	--	P	
Day Care Centers	--	L7	See Section 2.506
Dry Cleaning and Laundry Outlet	L1	L2, L7	See Section 2.506

Table 2.503: Land Use Regulations – Office Districts

<i>Use Classification</i>	<i>NO</i>	<i>GO</i>	<i>Additional Regulations</i>
Eating and Drinking Establishments			
<i>Restaurants, Full Service</i>	--	L2, L7	See Section 2.506
<i>Restaurants, Limited Service</i>	--	L2, L7	
Entertainment and Recreation, Indoor			
<i>Small Scale</i>	--	L7	See Section 2.506
Farmers' Market	--	A	
Funeral and Undertaking Services	P	P	
Government Offices and Facilities			
<i>Large Scale</i>	--	P	
<i>Small Scale</i>	P	P	
Health Care Facilities			
<i>Hospital</i>	--	U	
<i>Urgent Care Facility</i>	U	P	
<i>Medical Offices and Clinics</i>	P	P	
Heliport/Helipad	--	U	
Instructional Services, Specialized	P	P	
Laboratories, Commercial	P	P	
Loft Unit	--	P	
Nursing Home	U	P	
Offices, General	P	P	
Over-The-Air Reception Device	L1	P	See Article 4.8
Park and Ride Lot	--	U	
Personal Services	L1, L5	L5, L7	See Section 2.506
Public Safety Facilities			
<i>Large Scale</i>	--	P	
<i>Small Scale</i>	P	P	
Religious Assembly			See Section 4.505
<i>Small Scale</i>	--	L3, L4, L6	
Residential, Permanent			
<i>Loft Unit</i>	--	P	
Research and Development	--	P	
Retail Sales, Convenience	--	L2, L7	See Section 2.506
Retail Sales, General	--	L2, L7	See Section 2.506
Satellite Dish Antenna, Large	L1	L1	See Article 4.8
Schools, Public or Private			
<i>Small Scale</i>	L3, L4	L3, L4	
Seasonal Sales	T	T	See Section 4.5012
Utilities			
<i>Facilities</i>	S	S	
<i>Well Site</i>	P	P	
Vehicle Equipment Sales, Leasing and Services			
<i>Fueling Facility, Fleet</i>	--	A	
<i>Non-Commercial Vehicle Rental</i>	--	P	
Waste Management			
<i>Non-Hazardous Material Recycling Collection Facility, Small Scale</i>	A	A	
Wireless Communication Facilities			
<i>Monopoles and Alternative Light Poles</i>	--	U	See Article 4.7

Table 2.503: Land Use Regulations – Office Districts

<i>Use Classification</i>	<i>NO</i>	<i>GO</i>	<i>Additional Regulations</i>
<i>Support Structures Other Than Those Listed Above</i>	--	A	See Article 4.7

Limitations

- ~~L1—Only as a use incidental to the principal use of the property.~~
- ~~L2—Drive-through facilities prohibited.~~
- ~~L3—Clubs and Lodges, Public and Private Schools, and Religious Assembly uses shall be located on collector or arterial streets. Conditional Use Permit approval is required for any other location.~~
- ~~L4—Unlighted Outdoor Entertainment and Recreation uses are permitted in conjunction with Public and Private Schools and Religious Assembly uses; lighted Outdoor Entertainment and Recreation uses in conjunction with Public and Private Schools and Religious Assembly uses require a Conditional Use Permit.~~
- ~~L5—See Gilbert Municipal Code Chapter 14, Article XI for additional regulations regarding massage.~~
- ~~L6—20,000 s.f. or greater requires a Conditional Use Permit.~~
- ~~L7—Uses shall not be permitted as stand-alone businesses; limitation on square footage of combined uses. See Section 2.506E: Limited Floor Area.~~

* * *

The Land Development Code of Gilbert, Arizona, Chapter I Zoning Regulations, Division 2 Land Use Designations, Article 2.6 Employment Districts, Section 2.603 Land Use Regulations, is hereby amended to read as follows (additions in ALL CAPS; deletions in ~~strikeout~~):

2.603 Land Use Regulations

A. **Regulations.** ~~Table 2.603: Land Use Regulations—Employment Districts~~ TABLE 2.902 – USE REGULATIONS sets forth the land use regulations for employment districts. The regulations for each district are established by letter designations as follows:

"P" designates permitted uses.

"L" designates uses that are permitted subject to certain limitations. Number designations refer to the limitations listed at the bottom of ~~Table 2.603 Land Use Regulations—Employment Districts~~ 2.902: USE REGULATIONS.

"T" designates uses that are permitted to be conducted for a temporary period of time. Time limitations are listed in Table 4.5012: Temporary Uses.

"A" designates uses that require an Administrative Use Permit pursuant to Article 5.4: Use Permits.

"U" designates uses that require a Conditional Use Permit pursuant to Article 5.4: Use Permits.

"S" designates uses that require a Special Use Permit pursuant to Article 5.4: Use Permits.

- B. **Unlisted Uses.** Uses are defined in Article 6.1: Use Definitions. If a proposed use is not listed in the Use Definitions, the Zoning Administrator shall determine if the proposed use is substantially similar to a permitted use; in that event, the Zoning Administrator shall assign the proposed use to a permitted use definition.
- C. **Prohibited Uses.** Uses not listed in Table 2.603: Land 2.902: Use Regulations – Employment Districts below or not assigned to a Use Definition pursuant to Section 2.603B: Unlisted Uses are prohibited.
- D. **Additional Use Regulations.** Additional use regulations for employment districts are set forth in Section 2.606: Additional Use Regulations.

Table 2.603: Land Use Regulations – Employment District

Use Classification	BP	LI	GI	Additional Regulations
Agritainment	S	S	S	
Amateur Radio Facilities	L1	L1	L1	See Article 4.8
Ambulance Services	P	P	–	
Animal Services				See Section 4.508
<i>Animal Shelter</i>	–	P	–	
<i>Kenel</i>	–	P	–	
Building Maintenance Services	P	P	P	
Building Material and Home Improvement Sales and Service, Wholesale	–	P	P	
Business Services	L1	–	–	
Call Center	P	P	–	
Colleges, Public or Private	P	P	–	
Contractor's Yard	–	P	P	
Crematorium	–	P	P	
Day-Care Centers	L1, L4	L1,L4	L1,L4	
Dry-Cleaning and Laundry Central Plant	–	P	P	
Eating and Drinking Establishments				
<i>Restaurants, Beverage Service</i>	L2, L4	L2, L4	–	
<i>Restaurants, Full Service</i>	L2, L4	L2, L4	–	
<i>Restaurants, Limited Service</i>	L2, L4	L2, L4	–	
Entertainment and Recreation, Indoor				
<i>Small-Scale</i>	P	–	–	
Entertainment and Recreation, Outdoor	U	–	–	
Food Preparation				
<i>Large-Scale</i>	U	P	P	
<i>Small-Scale</i>	P	P	–	
Golf Course	U	–	–	
Government Offices and Facilities				
<i>Large-Scale</i>	U	U	–	
<i>Small-Scale</i>	P	P	–	
Health Care Facilities				
<i>Hospital</i>	U	–	–	
<i>Medical Offices and Clinics</i>	P	–	–	

Table 2.603: Land Use Regulations – Employment District

Use Classification	BP	LI	GI	Additional Regulations
Heliport/Helipad	U	U	U	
Hotels and Commercial Lodging	P	--	--	
Laboratories, Industrial	P	P	P	
Loft Unit	P	--	--	
Maintenance and Repair Services	P	P	--	
Manufacturing and Assembly				
<i>Artisan</i>	P	P	P	
<i>Light</i>	P	P	P	
<i>General</i>	--	L8	P	
<i>Heavy</i>	--	--	P	
Medical Marijuana Facilities:				
<i>Medical Marijuana Designated Caregiver Cultivation Location</i>	--	P	--	See Section 4.5014
<i>Medical Marijuana Dispensary</i>	--	U	U	See Section 4.5014
<i>Medical Marijuana Offsite Cultivation Site</i>	--	U	U	See Section 4.5014
Mining and Quarrying	--	--	U	
Offices, General	P	P	--	
Over-The-Air Reception Device	L1	L1	L1	See Article 4.8
Park and Ride Lot	U	U	U	
Public Safety Facilities				
<i>Large Scale</i>	P	P	--	
<i>Small Scale</i>	P	P	--	
Research and Development	P	P	P	
Residential, Permanent				
<i>Loft Unit</i>	P	--	--	
<i>Single Family</i>	L7	--	--	See Section 4.603C and 4.605B
Retail Sales, General	L2, L3A	L2, L3A	L2, L3B	
Salvage Yards or Junkyards	--	--	U, L5	
Satellite Dish Antenna, Large	L1	L1	L1	See Article 4.8
Satellite Earth Stations				
<i>Large Scale</i>	U	P	P	See Article 4.8
<i>Small Scale</i>	P	P	P	
Sexually-Oriented Business	--	U	U	See Section 4.5011
Storage, Personal Property				
<i>Indoor</i>	U	U	--	
<i>Outdoor</i>	--	U	P	
Transportation Passenger Terminals	U	P	--	
Utilities				
<i>Facilities</i>	S	S	S	
<i>Service Yard</i>	--	P	P	
<i>Well Site</i>	P	P	P	
Vehicle Equipment Sales, Leasing and Services				
<i>Commercial Vehicle/Equipment Sales and Rental; New and Used</i>	--	P	P	See Section 2.605
<i>Fueling Facility, Alternative</i>	A	P	P	
<i>Fueling Facility, Fleet</i>	A	A	A	

Table 2.603: Land Use Regulations – Employment District

Use Classification	BP	LI	GI	Additional Regulations
Motor Vehicle Sales and Leasing, New & Used	–	L6	–	
Non-Commercial Vehicle Rental	P	P	–	
Vehicle Services, Heavy	–	P	P	
Vehicle Services, Light	U	P	–	
Warehousing				
Freight/Truck Terminal and Warehouse	–	P	P	
Petroleum and Gas Storage	–	–	U	
Waste Management				
Hazardous Waste Collection and Transfer Facility	–	–	U	
Hazardous Waste Disposal Facility	–	–	U	
Non-Hazardous Waste Collection and Transfer Facility	–	–	U	
Non-Hazardous Waste Disposal Facility	–	–	U	
Non-Hazardous Material Recycling Collection Facility Large Scale	–	–	U	
Wireless Communication Facilities				
Monopoles and Alternative Light Poles	U	U	U	See Article 4.7
Support Structures Other Than Those Listed Above	A	A	A	See Article 4.7

Limitations

~~L1 – Only as a use incidental to the principal use of the property.~~

~~L2 – Drive-through facilities prohibited.~~

~~L3A – Only as a use incidental to the principal use of the property. Retail uses shall not exceed 20 percent of the principal use Gross Floor Area (GFA).~~

~~L3B – Only as a use incidental to the principal use of the property. Retail uses shall not exceed 10 percent of the principal use Gross Floor Area (GFA).~~

~~L4 – Shall not front onto arterial street.~~

~~L5 – See Gilbert Municipal Code Chapter 14, Article VII for additional regulations.~~

~~L6 – Only as an incidental use to Vehicle Services Light and Vehicle Services Heavy. Motor Vehicle Sales and Leasing shall be conducted indoors and limited to 10 percent of the GFA of the principal use.~~

~~L7 – Existing single family uses may be continued, expanded, and repaired without limitation on valuation. Site development regulations and accessory uses of the Single Family 43 (SF-43) zoning district apply and are shown in Table 2.104: Lot Development Regulations – Single Family Residential Districts.~~

~~L8 – For General Manufacturing and Assembly Uses involving highly toxic materials or chemicals, highly combustible or explosive materials, or other materials and substances of a noxious nature in the manufacturing process, the Zoning Administrator may require a conditional use permit to ensure compatibility with adjacent uses.~~

* * *

The Land Development Code of Gilbert, Arizona, Chapter I Zoning Regulations, Division 2 Land Use Designations, Article 2.7 Public Facility/Institutional District, Section 2.702 Land Use Regulations, is hereby amended to read as follows (additions in ALL CAPS; deletions in ~~strikeout~~):

2.702 Land Use Regulations

- A. **Regulations.** ~~Table 2.702: Land Use Regulations—Public Facility/Institutional District~~ TABLE 2.902 – USE REGULATIONS sets forth the land use regulations for the Public Facility/Institutional district. The regulations for the district are established by letter designations as follows:

"P" designates permitted uses.

"L" designates uses that are permitted subject to certain limitations. Number designations refer to the limitations listed at the bottom of ~~Table 2.702: Land Use Regulations—Public Facility/Institutional District~~ 2.902: USE REGULATIONS.

"T" designates uses that are permitted to be conducted for a temporary period of time. Time limitations are listed in Table 4.5012: Temporary Uses.

"A" designates uses that require an Administrative Use Permit pursuant to Article 5.4: Use Permits.

"U" designates uses that require a Conditional Use Permit pursuant to Article 5.4: Use Permits.

"S" designates uses that require a Special Use Permit pursuant to Article 5.4: Use Permits.

- B. **Unlisted Uses.** Uses are defined in Article 6.1: Use Definitions. If a proposed use is not listed in the Use Definitions, the Zoning Administrator shall determine if the proposed use is substantially similar to a permitted use; in that event, the Zoning Administrator shall assign the proposed use to a permitted use definition.
- C. **Prohibited Uses.** Uses not listed in ~~Table 2.702: Land 2.902: Use Regulations—Public Facility/Institutional District~~ below or not assigned to a Use Definition pursuant to Section 2.702B: Unlisted Uses are prohibited.
- D. **Additional Use Regulations.** Additional use regulations for the Public Facility/Institutional District are set forth in Section 2.705: Additional Use Regulations.

Table 2.702: Land Use Regulations—Public Facility/Institutional District

<i>Use Classification</i>	<i>PFI</i>	<i>Additional Regulations</i>
Agritainment	S	
Amateur Radio Facilities	L1	See Article 4.8
Animal Services <i>Animal Shelter</i>	U	See Section 4.508
Automated Teller Machine	L1	
Business Services	L1	
Carnival, Small-Scale	T	See Section 4.5012
Cemetery	P	See Section 4.509

Table 2.702: Land Use Regulations – Public Facility/Institutional District

<i>Use Classification</i>	<i>PF/I</i>	<i>Additional Regulations</i>
Cemetery, Pet	P	
Clubs and Lodges	L2	
Colleges, Public or Private	P	
Convention Center	U	
Crematorium	P	
Crop Raising, Non-Commercial	P	
Cultural Institutions	P	
Day Care Centers	L1, L5	
Eating and Drinking Establishments <i>Restaurants, Beverage Service</i>	L4, L5	
Entertainment and Recreation, Indoor <i>Large-Scale</i>	U	
<i>Small-Scale</i>	P	
Entertainment and Recreation, Outdoor	P	
Equestrian Arena	U	See Section 2.705
Farmers' Market	A	
Funeral and Undertaking Services	P	
Golf Course	U	
Government Offices and Facilities <i>Large-Scale</i>	P	
<i>Small-Scale</i>	P	
Health Care Facilities <i>Hospital</i>	P	
<i>Urgent Care Facility</i>	P	
Helipad/Heliport	U	
Over-The-Air Reception Device	L1	See Article 4.8
Park and Ride Lot	U	
Parking Facilities		
Place of Worship <i>Large-Scale</i>	L2, L3	See Section 4.505
<i>Small-Scale</i>	L2, L3	
Public Safety Facilities <i>Large-Scale</i>	P	See Article 4.8
<i>Small-Scale</i>	P	
Satellite Dish Antenna, Large	L1	
Schools, Public or Private <i>Large-Scale</i>	L2, L3	
<i>Small-Scale</i>	L2, L3	
Seasonal Sales	T	See Section 4.5012
Shelter Care Facility <i>Large-Scale</i>	P	
Shelter Care Facility, Homeless	U	
Stables, Commercial	L1	See Section 2.705
Transportation Passenger Terminals	U	
Utilities <i>Facilities</i>	S	
<i>Service Yard</i>	U	
<i>Well Site</i>	P	
Vehicle Equipment Sales, Leasing and Services: <i>Fueling Facility, Alternative</i>	P	
<i>Fueling Facility, Fleet</i>	P	
<i>Vehicle Services, Heavy</i>	P	

Table 2.702: Land Use Regulations – Public Facility/Institutional District

<i>Use Classification</i>	<i>PF/I</i>	<i>Additional Regulations</i>
<i>Vehicle Services, Light</i>	P	
<i>Waste Management:</i>		
<i>Non-Hazardous Waste Collection and Transfer Facility</i>	U	
<i>Non-Hazardous Material Recycling Collection Facility</i>		
<i>Large Scale</i>	U	
<i>Small Scale</i>	P	
<i>Wireless Communication Facilities:</i>		
<i>Monopole</i>	U	See Article 4.7
<i>Alternative WCF Light Poles</i>		
<i>Place of Worship</i>	U	
<i>Schools-Elementary, Middle School</i>	U	
<i>Public Park</i>	U	
<i>Public Safety Communication Facility</i>	A/U	
<i>Support Structures Other Than Those Listed Above</i>	A	

Limitations

L1— Only as a use incidental to the principal use of the property.

L2— Clubs and Lodges, Public and Private Schools, and Place of Worship uses shall be located on collector or arterial streets. Conditional Use Permit approval is required for any other location.

L3— Unlighted Outdoor Entertainment and Recreation uses are permitted in conjunction with Public and Private Schools and Place of Worship uses; lighted Outdoor Entertainment and Recreation uses in conjunction with Public and Private Schools and Place of Worship uses require a Conditional Use Permit.

L4— Drive through facilities prohibited.

L5— Shall not front onto arterial street.

* * *

The Land Development Code of Gilbert, Arizona, Chapter I Zoning Regulations, Division 2 Land Use Designations, Article 2.8 Gateway Districts, Section 2.803 Land Use Regulations, is hereby amended to read as follows (additions in ALL CAPS; deletions in ~~strikeout~~):

2.803 Land Use Regulations

A. **Regulations.** ~~Table 2.803: Land Use Regulations—The Gateway Districts~~ TABLE 2.902 – USE REGULATIONS sets forth the land use regulations for Gateway Village Center (GVC) and Gateway Business Center (GBC) districts. The regulations for each district are established by letter designations as follows:

"P" designates permitted uses.

"L" designates uses that are permitted subject to certain limitations. Number designations refer to the limitations listed at the bottom of ~~Table 2.803: Land Use Regulations—Gateway Districts~~2.902: USE REGULATIONS.

"T" designates uses that are permitted to be conducted for a temporary period of time. Time limitations are listed in Table 4.5012: Temporary Uses.

"A" designates uses that require an Administrative Use Permit pursuant to Article 5.4: Use Permits.

"U" designates uses that require a Conditional Use Permit pursuant to Article 5.4: Use Permits.

"S" designates uses that require a Special Use Permit pursuant to Article 5.4: Use Permits.

- B. **Unlisted Uses.** Uses are defined in Article 6.1: Use Definitions. If a proposed use is not listed in the Use Definitions, the Zoning Administrator shall determine if the proposed use is substantially similar to a permitted use; in that event, the Zoning Administrator shall assign the proposed use to a permitted use definition.
- C. **Prohibited Uses.** Uses not listed in Table 2.803: ~~Land~~2.902: Use Regulations – ~~Gateway Districts below~~ or not assigned to a Use Definition pursuant to Section 2.803B: Unlisted Uses are prohibited.
- D. **Additional Use Regulations.** Additional use regulations for the Gateway Districts are set forth in Section 2.805: Additional Use Regulations and in the Gateway Character goals and policies of the General Plan, and the Gateway Area Right-Of- Way Improvement Standards and Streetscape Design Guidelines.

Table 2.803: Land Use Regulations – Gateway Districts

<i>Use Classification</i>	<i>GVC</i>	<i>GBC</i>	<i>Additional Regulations</i>
Ambulance Services	–	P	See Article 4.8
Automated Teller Machine	L1, L2	L1, L2	
Automated Teller Machine, Remote	A, L2	A, L2	
Banks and Other Financial Institutions	L2	L2	
Business Services	P	P	
Call Center	–	P	
Colleges, Public or Private	P	P	
Day Care Centers	P	P	
Dry Cleaning and Laundry Outlet	L2	P	
Eating and Drinking Establishments			
Bars/Night Clubs/Lounges/Dance Halls	U	–	
Restaurants, Beverage Service	L2	L2	
Restaurants, Full Service	L2	L2	
Restaurants, Limited Service	L2	L2	
Entertainment and Recreation, Indoor			
Small Scale	U	U	
Large Scale	U	U	
Farmers' Market	A	T	
Food Preparation			
Small Scale	L1	P	
Government Offices and Facilities			
Small Scale	L4	P	
Large Scale	U, L4	P	
Group Homes for the Handicapped	L4, L5	–	See Section 4.504

Table 2.803: Land Use Regulations – Gateway Districts

Use Classification	GVC	GBC	Additional Regulations
Health Care Facilities			
<i>Urgent Care Facility</i>	–	P	
<i>Medical Offices and Clinics</i>	L4	P	
Home Occupation	P	P	See Section 4.502
Hotels and Commercial Lodging	P	P	
Instructional Services, Specialized	U	P	
Laundry Services	U	P	
Maintenance and Repair Services	–	P	
Manufacturing and Assembly			
<i>Artisan</i>	–	U	
Offices, General	L3	P	
Park and Ride Lot	–	P	
Parking Facilities	U	U	
Personal Services	P	P	
Place of Worship			
<i>Small-Scale</i>	–	U, L1	See Section 4.505
Public Safety Facilities			
<i>Small-Scale</i>	P	P	
Research and Development	–	P	
Residential, Permanent			
<i>Loft Unit</i>	L4	L4, L5	
<i>Multi-Family</i>	L3	L3, L5	
Retail Sales, General	L2	L1, L6	
Schools, Public or Private			
<i>Small-Scale</i>	U, L1	L3	See Section 4.5012
Seasonal Sales	A	–	See Section 4.5012
Special Events	T	T	See Municipal Code Chapter 15, Special Events
Transportation Passenger Terminals	U	U	
Utilities			
<i>Facilities</i>	S	S	
Wireless Communication Facilities			
<i>Alternative Light Poles</i>	U	U	See Article 4.7
<i>Support Structures Other Than Those Listed Above</i>	U	U	See Article 4.7

Limitations

L1— Only as a use incidental to the principal use of the property.

L2— Drive-through facilities prohibited.

L3— Conditional Use Permit required for ground floor location.

L4— Permitted only above the ground floor of a mixed-use building.

L5— Permitted only above the ground floor of a mixed-use building within 300' of Recker Road or Williams Field Road; permitted use in other locations.

L6— Outdoor merchandizing or display prohibited.

* * *

The Land Development Code of Gilbert, Arizona, Chapter I Zoning Regulations, Division 2 Land Use Designations, Article 2.8 Gateway Districts, Section 2.805 Additional Use Regulations, is hereby amended to read as follows (additions in ALL CAPS; deletions in ~~strikeout~~):

- B. **Outdoor Retail Sales and Merchandise Display.** GVC only - Outdoor retail sales and merchandise displays shall be located and conducted in compliance with the following requirements: uses that are permitted to be conducted for a temporary period of time as listed in ~~Table 2.803: Land Use Regulations—Gateway Districts~~ TABLE 2.902 – USE REGULATIONS, are not considered outdoor retail sales and merchandise display under this section.

* * *

The Land Development Code of Gilbert, Arizona, Chapter I Zoning Regulations, Division 2 Land Use Designations, Article 2.9 Use Regulations is hereby added to read as follows (additions in ALL CAPS; deletions in ~~strikeout~~):

SECTIONS

- 2.901 PURPOSE
2.902 USE REGULATIONS

2.901 PURPOSES

THE PURPOSES OF THE LAND USE REGULATIONS TABLE ESTABLISHED IN THIS ARTICLE IS TO

- A. PROVIDE FOR SINGLE FAMILY RESIDENTIAL, MULTI-FAMILY RESIDENTIAL, COMMERCIAL, OFFICE, EMPLOYMENT, AND PUBLIC FACILITY/INSTITUTIONAL USES IN APPROPRIATE LOCATIONS.
- B. ENSURE COMPATIBILITY AMONG LAND USES

2.902 USE REGULATIONS

- A. *REGULATIONS.* TABLE 2.902: USE REGULATIONS SETS FORTH THE LAND USE REGULATIONS FOR ALL ZONING DISTRICTS. THE REGULATIONS FOR EACH DISTRICT ARE ESTABLISHED BY LETTER DESIGNATIONS AS FOLLOWS:

"P" DESIGNATES PERMITTED USES.

"L" DESIGNATES USES THAT ARE PERMITTED SUBJECT TO CERTAIN LIMITATIONS. NUMBER DESIGNATIONS REFER TO THE LIMITATIONS LISTED AT THE BOTTOM OF TABLE 2.902: USE REGULATIONS.

"I" DESIGNATES USES THAT ARE PERMITTED ONLY AS INCIDENTAL TO THE PRINCIPAL USE OF THE PROPERTY.

"T" DESIGNATES USES THAT ARE PERMITTED TO BE CONDUCTED FOR A TEMPORARY PERIOD OF TIME. TIME LIMITATIONS ARE LISTED IN TABLE 4.5012: TEMPORARY USES.

"A" DESIGNATES USES THAT REQUIRE AN ADMINISTRATIVE USE PERMIT PURSUANT TO ARTICLE 5.4: USE PERMITS.

"U" DESIGNATES USES THAT REQUIRE A CONDITIONAL USE PERMIT PURSUANT TO ARTICLE 5.4: USE PERMITS.

"S" DESIGNATES USES THAT REQUIRE A SPECIAL USE PERMIT PURSUANT TO ARTICLE 5.4: USE PERMITS.

- B. *UNLISTED USES.* USES ARE DEFINED IN ARTICLE 6.1: USE DEFINITIONS. IF A PROPOSED USE IS NOT LISTED IN THE USE DEFINITIONS, THE ZONING ADMINISTRATOR SHALL DETERMINE IF THE PROPOSED USE IS SUBSTANTIALLY SIMILAR TO A PERMITTED USE; IN THAT EVENT, THE ZONING ADMINISTRATOR SHALL ASSIGN THE PROPOSED USE TO A PERMITTED USE DEFINITION.
- C. *PROHIBITED USES.* USES NOT LISTED IN TABLE 2.902: USE REGULATIONS BELOW OR NOT ASSIGNED TO A USE DEFINITION PURSUANT TO SECTION 2.902B: UNLISTED USES ARE PROHIBITED.
- D. *ADDITIONAL USE REGULATIONS.* ADDITIONAL USE REGULATIONS ARE SET FORTH IN SECTIONS 2.107, 2.205, 2.306, 2.405, 2.506, 2.606, 2.705, AND 2.805: ADDITIONAL USE REGULATIONS.

USE CATEGORY	RESIDENTIAL														MIXED USE AND NON-RESIDENTIAL										ADDITIONAL STANDARDS		
	SF-43	SF-47	SF-35	SF-15	SF-10	SF-8	SF-7	SF-6	SF-D	SF-A	MF-L	MF-M	NC	CC	SC	GC	RC	HVC	NO	GO	BP	LI	GI	PF/I		GVC	GBC
SPECIFIC USE TYPE																											
NON-HAZARDOUS WASTE DISPOSAL FACILITY																							U				
NON-HAZARDOUS MATERIAL RECYCLING COLLECTION FACILITY																											
LARGE-SCALE																							U	U			
SMALL-SCALE																											
SALVAGE YARDS OR JUNKYARDS																											
AGRICULTURAL																											
AGRITAINMENT	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S
ANIMAL RAISING, NON-COMMERCIAL	P	P	P	P	P	P	L29 L30	L29 L30	L29 L30	L29 L30																	
CROP AND ANIMAL RAISING, COMMERCIAL	P	P	P	P	P	P																					SEE SECTION 2.107
CROP RAISING, NON-COMMERCIAL	P	P	P	P	P	P																					SEE SECTION 4.507
FARM STAND	P	P	P	P	P	P																					SEE SECTION 4.507
FARMERS' MARKET																											
FEED AND TACK SALES																											
FEED LOT	U	U																									
MEDICAL MARIJUANA FACILITIES																											
MEDICAL MARIJUANA DESIGNATED CAREGIVER CULTIVATION LOCATION																											SEE SECTION 4.5014
MEDICAL MARIJUANA OFFSITE CULTIVATION SITE	U	U																									SEE SECTION 4.5014
STABLES, COMMERCIAL	I	I	I	I	I	I																					SEE SECTION 2.107
STABLES, NON-COMMERCIAL	I	I	I	I	I	I																					SEE SECTION 2.107

L1	PERMITTED ONLY ABOVE THE GROUND FLOOR OF A MIXED-USE BUILDING
L2	PERMITTED ONLY ABOVE THE GROUND FLOOR OF A MIXED-USE BUILDING WITHIN 300' OF RECKER ROAD OR WILLIAMS FIELD ROAD; PERMITTED USE IN OTHER LOCATIONS
L3	LEGAL NON-CONFORMING SINGLE FAMILY USES EXISTING PRIOR TO MARCH 3, 2005 MAY BE EXPANDED AND/OR REPAIRED WITHOUT LIMITATION ON VALUATION IN CONFORMANCE WITH SITE DEVELOPMENT REGULATIONS APPLICABLE TO THE SINGLE FAMILY DETACHED (SF-D) ZONING DISTRICT AS SET FORTH IN TABLE 2.104: LOT DEVELOPMENT REGULATIONS – SINGLE FAMILY RESIDENTIAL DISTRICTS
L4	EXISTING SINGLE FAMILY USES MAY BE CONTINUED, EXPANDED, AND REPAIRED WITHOUT LIMITATION ON VALUATION. SITE DEVELOPMENT REGULATIONS AND ACCESSORY USES OF THE SINGLE FAMILY-43 (SF-43) ZONING DISTRICT APPLY AND ARE SHOWN IN TABLE 2.104: LOT DEVELOPMENT REGULATIONS – SINGLE FAMILY RESIDENTIAL DISTRICTS.
L5	ONLY PERMITTED AS PART OF AN INTEGRATED, MIXED-USE PLAN. CONDITIONAL USE PERMIT REQUIRED, SUBJECT TO THE ADDITIONAL FINDINGS REQUIRED PURSUANT TO SECTION 2.306(H).
L6	USE PERMIT REQUIRED FOR GROUND FLOOR LOCATION
L7	CIVIC SOCIAL AND FRATERNAL ORGANIZATIONS, PUBLIC AND PRIVATE SCHOOLS, AND PLACE OF WORSHIP USES SHALL BE LOCATED ON COLLECTOR OR ARTERIAL STREETS. CONDITIONAL USE PERMIT APPROVAL IS REQUIRED FOR ANY OTHER LOCATION.
L8	DAY CARE CENTERS, PUBLIC AND PRIVATE SCHOOLS, AND PLACE OF WORSHIP USES SHALL BE LOCATED ON COLLECTOR OR ARTERIAL STREETS. CONDITIONAL USE PERMIT APPROVAL IS REQUIRED FOR ANY OTHER LOCATION.
L9	USES SHALL NOT BE PERMITTED AS STAND-ALONE BUSINESSES; LIMITATION ON SQUARE FOOTAGE OF COMBINED USES. SEE SECTION 2.506E: LIMITED FLOOR AREA
L10	SHALL NOT FRONT ONTO ARTERIAL STREET.
L11	UNLIGHTED OUTDOOR ENTERTAINMENT AND RECREATION USES ARE PERMITTED IN CONJUNCTION WITH PUBLIC AND PRIVATE SCHOOLS AND PLACE OF WORSHIP USES; LIGHTED OUTDOOR ENTERTAINMENT AND RECREATION USES IN CONJUNCTION WITH PUBLIC AND PRIVATE SCHOOLS AND PLACE OF WORSHIP USES REQUIRE A CONDITIONAL USE PERMIT.
L12	20,000 S.F. OR GREATER REQUIRES A CONDITIONAL USE PERMIT.
L13	PUBLIC AND PRIVATE SCHOOLS AND PLACE OF WORSHIP USES ARE NOT PERMITTED IN SINGLE FAMILY RESIDENTIAL STRUCTURES.
L14	CIVIC SOCIAL AND FRATERNAL ORGANIZATIONS, COMMUNITY SERVICE FACILITIES, PUBLIC AND PRIVATE SCHOOLS, AND PLACE OF WORSHIP USES ARE NOT PERMITTED IN MULTI-FAMILY RESIDENTIAL STRUCTURES.
L15	PERMITTED ONLY ABOVE THE GROUND FLOOR OF A MIXED-USE BUILDING WITHIN 300' OF GILBERT ROAD; PERMITTED USE IN OTHER LOCATIONS.
L16	ALTERNATIVE LIGHT POLES MAY BE LOCATED ON PROPERTY ZONED RESIDENTIAL AND OPERATED AS AN ELECTRIC SUBSTATION, PUBLIC AND PRIVATE SCHOOL, PUBLIC PARK, OR PLACE OF WORSHIP. CONDITIONAL USE PERMIT IS REQUIRED.
L17	MAXIMUM HEIGHT OF ALTERNATIVE WCF STRUCTURES IS 40'.
L18	DRIVE-THROUGH FACILITIES PROHIBITED
L19	EXISTING DRIVE-THROUGH FACILITIES LOCATED NORTH OF THE WESTERN CANAL MAY CONTINUE TO OPERATE AS DRIVE-THROUGH FACILITIES UNTIL THE DRIVE-THROUGH FACILITY IS REMOVED OR CONVERTED TO BE PART OF THE STRUCTURE. EXISTING SERVICE BAY FACILITIES LOCATED NORTH OF THE WESTERN CANAL MAY CONVERT TO A DRIVE-THROUGH FACILITY ONLY FOR THE RESTAURANTS, BEVERAGE SERVICE OR RESTAURANTS, LIMITED SERVICE USES AND ONLY UNTIL THE DRIVE-THROUGH FACILITY IS REMOVED OR CONVERTED TO BE PART OF THE STRUCTURE. A USE PERMIT IS REQUIRED
L20	MAXIMUM GROSS FLOOR AREA PERMITTED: 2,000 SQ. FT
L21	ONLY AS AN INCIDENTAL USE TO VEHICLE SERVICES LIGHT AND VEHICLE SERVICES HEAVY. MOTOR VEHICLE SALES AND LEASING SHALL BE CONDUCTED INDOORS AND LIMITED TO 10 PERCENT OF THE GFA OF THE PRINCIPAL USE.
L22	SEE GILBERT MUNICIPAL CODE CHAPTER 14, ARTICLE VII FOR ADDITIONAL REGULATIONS.
L23	PERMITTED USE. SEE GILBERT MUNICIPAL CODE CHAPTER 14, ARTICLE XI FOR ADDITIONAL REGULATIONS REGARDING MESSAGE ESTABLISHMENTS AND THERAPISTS.
L24	ONLY AS A USE INCIDENTAL TO THE PRINCIPAL USE OF THE PROPERTY. RETAIL USES SHALL NOT

	EXCEED 20 PERCENT OF THE PRINCIPAL USE GROSS FLOOR AREA (GFA).
L25	ONLY AS A USE INCIDENTAL TO THE PRINCIPAL USE OF THE PROPERTY. RETAIL USES SHALL NOT EXCEED 10 PERCENT OF THE PRINCIPAL USE GROSS FLOOR AREA (GFA).
L26	OUTDOOR MERCHANDIZING OR DISPLAY PROHIBITED.
L27	FOR GENERAL MANUFACTURING AND ASSEMBLY USES INVOLVING HIGHLY TOXIC MATERIALS OR CHEMICALS, HIGHLY COMBUSTIBLE OR EXPLOSIVE MATERIALS, OR OTHER MATERIALS AND SUBSTANCES OF A NOXIOUS NATURE IN THE MANUFACTURING PROCESS, THE ZONING ADMINISTRATOR MAY REQUIRE A CONDITIONAL USE PERMIT TO ENSURE COMPATIBILITY WITH ADJACENT USES.
L28	LIMITED TO PARCELS CONTAINING SCHOOLS AND PLACE OF WORSHIP USES. ADMINISTRATIVE USE PERMIT IS REQUIRED.
L29	ONLY PERMITTED IN THIS ZONING DISTRICT WHERE THE LOT SIZE IS AT LEAST 6,000 SQUARE FEET.
L30	PEACOCK NOT PERMITTED IN THIS ZONING DISTRICT.

* * *

The Land Development Code of Gilbert, Arizona, Chapter I Zoning Regulations, Division 3 Overlay District Regulations, Article 3.3 Santan Freeway Corridor Overlay District, Section 3.302 Applicability, is hereby amended to read as follows (additions in ALL CAPS; deletions in ~~strikeout~~):

C. For the purposes of this article, the following words and terms shall have the following meanings:

1. “Freeway” shall mean a controlled access, divided, grade-separated highway, and all associated rights-of-way, exclusive of retention basins in excess of 1 acre.
2. “Noise Barrier” shall mean a noise mitigation wall, an earth berm, or a noise mitigation wall in combination with an earth berm that interrupts the path of sound from the sound source to the sound receiver.
3. “Noise Sensitive Uses” shall mean Single Family and Multi-Family residential uses, Hospitals, Nursing Homes, ~~Religious Assembly~~ PLACE OF WORSHIP, libraries, Schools, and Day Care Centers.

* * *

The Land Development Code of Gilbert, Arizona, Chapter I Zoning Regulations, Division 4 General Regulations, Article 4.2 Off-Street Parking and Loading Regulations, Section 4.204 Off-Street Parking Requirements and Section 4.2011 Passenger Loading Areas, are hereby amended to read as follows (additions in ALL CAPS; deletions in ~~strikeout~~):

Table 4.204: Off-Street Parking Requirements

<i>Use Classification</i>	<i>Requirement (Gross Floor Area)</i>
Agritainment	Determined by Zoning Administrator
Ambulance Services	1 space per 250 sq. ft.
Animal Services	
<i>Animal Grooming</i>	1 space per 250 sq. ft.
<i>Animal Shelter</i>	1 space per 250 sq. ft.
<i>Feed and Tack Sales</i>	1 space per 350 sq. ft.

Table 4.204: Off-Street Parking Requirements

Use Classification	Requirement (Gross Floor Area)
<i>Kennel</i>	1 space per 250 sq. ft.
<i>Large Animal Hospitals</i>	1 space per 300 sq. ft.
<i>Small Animal Clinics</i>	1 space per 250 sq. ft.
Automated Teller Machine	None required
Clubs and Lodges CIVIC, SOCIAL AND FRATERNAL ORGANIZATIONS	1 space per 200 sq. ft. or 1 space per 4 fixed seats, whichever is greater
Colleges OR UNIVERSITIES, Public Or Private	1 space per 200 sq. ft. of classroom and office area

Table 4.2011: Passenger Loading Area Requirements¹

Use Classification	Requirement
Clubs and Lodges CIVIC, SOCIAL AND FRATERNAL ORGANIZATIONS	1 space

* * *

The Land Development Code of Gilbert, Arizona, Chapter I Zoning Regulations, Division 4 General Regulations, Article 4.6 Non-Conforming Uses, Lots, Parcels, Structures and Signs, Section 4.603 General Provisions and 4.605 Repair or Rebuilding of a Damaged Structure, is hereby amended to read as follows (additions in ALL CAPS; deletions in ~~strikeout~~):

4.603 General Provisions

- C. ***Expansion of Non-Conforming Uses.*** A non-conforming use that occupies any portion of any structure, lot, or parcel shall not be expanded to occupy additional building or land area except as permitted in ~~Table 2.203: Land Use Regulations – Multi-Family Residential Districts and Table 2.603: Land Use Regulations – Employment Districts~~ TABLE 2.902 – USE REGULATIONS. A non-conforming use shall not be expanded in intensity or hours of operation except as permitted in ~~Table 2.203: Land Use Regulations – Multi-Family Residential Districts and Table 2.603: Land Use Regulations – Employment Districts~~ TABLE 2.902 – USE REGULATIONS.

4.605 Repair or Rebuilding of a Damaged Structure

- B. If a non-conforming structure has been damaged so that the cost of repair or rebuilding in compliance with current construction codes equals or exceeds 50 percent of the value of the structure prior to the damage, the structure may be repaired or rebuilt, but only in conformance with the Zoning Code except as permitted in ~~Table 2.203: Land Use Regulations – Multi-Family Residential Districts and Table 2.603: Land Use Regulations – Employment Districts~~ TABLE 2.902 USE REGULATIONS.

The Land Development Code of Gilbert, Arizona, Chapter I Zoning Regulations, Division 4 General Regulations, Article 4.7 Wireless Communication Facilities, Section 4.703 Use and Development Regulations, is hereby amended to read as follows (additions in ALL CAPS; deletions in ~~strikeout~~):

- C. **Residential Zoning Districts.** WCFs are permitted in single family and multi-family residential zoning districts only on property owned by:
1. The state, county, public school district, or community college district, if the primary use of such property is a governmental use;
 2. An electric utility company, if the property is used for an electric utility use; or
 3. A ~~Religious assembly~~ PLACE OF WORSHIP use, if the primary use of such property is for worship or social use.

* * *

The Land Development Code of Gilbert, Arizona, Chapter I Zoning Regulations, Division 6 Use Definitions, is hereby amended to read as follows (additions in ALL CAPS; deletions in ~~strikeout~~):

ARBORETUM OR BOTANICAL GARDEN. A BOTANICAL GARDEN IS AN ESTABLISHMENT WHERE PLANTS ARE GROWN FOR SCIENTIFIC STUDY AND DISPLAY TO THE PUBLIC. AN ARBORETUM IS A BOTANICAL GARDEN CONTAINING LIVING COLLECTIONS FOCUSED ON WOODY PLANTS.

CIVIC, SOCIAL, AND FRATERNAL ORGANIZATION FACILITIES. FACILITIES ACCOMMODATING PUBLIC, QUASI-PUBLIC, AND PRIVATE ORGANIZATIONS INCLUDING ORGANIZED GROUPS HAVING A MEMBERSHIP REQUIREMENT AND SPECIFIC PURPOSE RELATED TO THE WELFARE OF THE MEMBERS OR COMMUNITY.

~~**Clubs and Lodges.** Meeting or social facilities primarily for use by members or guests of an organization. Examples include union halls, fraternal and service organizations, and social clubs.~~

Congregate Living Facility. A long-term residential facility for 11 or more handicapped or other special needs persons. Congregate living facilities include common dining, social, and recreational amenities. Congregate living facilities may include independent living units, ~~and~~ Nursing Homes AND HOSPICE but only as part of a larger facility. Limited commercial services may be provided exclusively for residents.

Contractor's Yard. A facility for the outdoor storage of materials, equipment, and commercial vehicles used in construction, building maintenance, and similar activities; AND MAINTENANCE OF CONTRACTOR'S SUPPLIES AND OPERATIONAL EQUIPMENT, including incidental office space.

Convention Center. A facility, AUDITORIUM OR EXHIBITION HALL used for assemblies or meetings. This classification excludes ~~Clubs and Lodges~~ CIVIC, SOCIAL, AND FRATERNAL ORGANIZATION FACILITIES, or other meeting facilities of private or non-profit groups that are primarily used by group members.

DATA CENTER. A FACILITY WHOSE PRIMARY SERVICE IS DATA PROCESSING AND IS USED TO HOUSE COMPUTER SYSTEMS AND ASSOCIATED COMPONENTS, SUCH AS TELECOMMUNICATIONS AND STORAGE SYSTEMS, INCLUDING BUT NOT LIMITED TO WEB HOSTING ORGANIZATIONS AND INTERNET SERVICE ORGANIZATIONS. A SERVER FARM, TELECOM HOTEL, CARRIER HOTEL, TELEHOUSE CO-LOCATION CENTER, OR ANY OTHER TERM APPLICABLE TO FACILITIES WHICH ARE USED FOR THESE SPECIFIED PURPOSES SHALL BE DEEMED TO BE A DATA CENTER.

DIGITAL PRODUCTION. USES FOCUSED ON DIGITAL PRODUCTION SUCH AS SOFTWARE AND INTERNET CONTENT DEVELOPMENT AND PUBLISHING; COMPUTER SYSTEMS DESIGN AND PROGRAMMING; PHOTOGRAPHY; AND GRAPHIC AND INDUSTRIAL DESIGN, INCLUDING RENTAL STUDIOS.

Eating and Drinking Establishments. Businesses that primarily engage in the sale of food or beverages for consumption on or off the premises. Dancing, live music, or other similar live entertainment may be offered.

BREWERY, DISTILLERY, OR WINERY. AN ESTABLISHMENT THAT PRODUCES ALCOHOLIC BEVERAGES IN CONJUNCTION WITH INCIDENTAL USES OF A RESTAURANT, RETAIL SALES AND/OR TASTING ROOM. THE LIQUOR MAY BE DISTRIBUTED TO OTHER LOCATIONS AND BE SOLD ON SITE.

Entertainment and Recreation, Outdoor. Public or private parks, playgrounds, open spaces, playing fields, sports courts, driving ranges not in conjunction with a Golf Course, swimming pools, amphitheater, miniature golf courses, community or botanical gardens, zoos, and similar uses. Incidental sales of food and beverages are permitted.

Government Offices and Facilities. OFFICE USES RELATED TO THE ADMINISTRATION OF LOCAL, STATE, OR FEDERAL GOVERNMENT SERVICES OR FUNCTIONS. ~~Offices and facilities used by governmental entities for their governmental or proprietary purposes.~~ This classification excludes airports, Utilities, and Public Safety Facilities.

Large-Scale. Government offices and facilities that occupy more than 10,000 square feet of building area or more than 5 acres.

Small-Scale. Government offices and facilities that occupy no more than 10,000 square feet of building area or no more than 5 acres.

Group Homes for the Handicapped. A facility licensed or authorized by a governmental authority having jurisdiction over operations for 10 or fewer handicapped persons who reside together as a single housekeeping unit and who receive care, supervision, or counseling from 1 or more staff persons. This use includes assisted living homes; homes for the mentally ill, group care agencies, HOSPICE and similar residential

living arrangements for handicapped persons, but shall not include boarding houses, Nursing Homes, or a Shelter Care Facility.

HEALTH RESORT/SPA. A VACATION OR RECREATION FACILITY THAT MAY INCLUDE LODGING AND IS AVAILABLE TO THE GENERAL PUBLIC FOR MEDICAL OR THERAPEUTIC PURPOSES.

~~**Hospice.** For ten or fewer persons see Group Homes for the Handicapped. For eleven or more persons see Congregate Living Facilities.~~

Manufacturing and Assembly. Manufacturing and assembly of products primarily for sale to other businesses.

Artisan. Small-scale production of goods by hand manufacturing or assembly, involving the use of hand tools and small-scale equipment. THIS CLASSIFICATION INCLUDES ARTISAN STUDIOS USED BY ARTISTS FOR THE CREATION OF ART.

SCHOOLS, VOCATIONAL-TECHNICAL AND TRADE. USES OFFERING INSTRUCTION IN SPECIAL BUSINESS, TECHNICAL, TRADE, AND VOCATIONAL SKILLS SUCH AS REAL ESTATE SCHOOLS, BUSINESS COLLEGES, ELECTRONIC SCHOOLS, AUTOMOTIVE AND AIRCRAFT TECHNICIAN SCHOOLS, AND SIMILAR ESTABLISHMENTS OPERATED BY NON-GOVERNMENTAL ORGANIZATIONS.

Utilities.

Facilities. Buildings, structures or land used by a utility, railroad, or governmental agency for water or sewage treatment plants, lift and pumping stations, electric substations, telephone exchanges, resource recovery facilities or similar uses. This use does not include Utility Service Yards, Wireless Communication Facilities, Over-The-Air Reception Devices, Large Satellite Dishes, Satellite Earth Stations, well sites, or Amateur Radio Facilities.

LARGE-SCALE. A FACILITY OCCUPYING 2 ACRES OR MORE.

SMALL-SCALE. A FACILITY OCCUPYING LESS THAN 2 ACRES.

VEHICLE TOWING SERVICE STORAGE YARD; IMPOUND LOT. ANY IMPROVED LOT, STRUCTURE, OR THE USE OF ANY PORTION OF SUCH LOT OR STRUCTURE FOR THE TEMPORARY OUTDOOR STORAGE OF TOWED VEHICLES THAT ARE TO BE CLAIMED BY THE TITLEHOLDERS OR THEIR AGENTS. ANY VEHICLE STORED SHALL REMAIN MECHANICALLY OPERABLE AND LICENSED AT ALL TIMES.

WHOLESALE SALES AND DISTRIBUTION. USES ENGAGED IN THE WHOLESALE SALES, BULK STORAGE AND DISTRIBUTION OF GOODS. WHOLESALE SHOWROOMS ARE ALSO INCLUDED IN THIS USE CATEGORY.

* * *

The Land Development Code of Gilbert, Arizona, Glossary of General Terms, is hereby amended to read as follows (additions in ALL CAPS; deletions in ~~strikeout~~):

HOSPICE. A FACILITY LICENSED OR AUTHORIZED BY A GOVERNMENTAL AUTHORITY HAVING JURISDICTION OVER OPERATIONS THAT PROVIDE 24-HOUR NURSING AND SUPPORTIVE CARE AND OTHER SERVICES IN A HOME-LIKE SETTING TO PERSONS WHO HAVE A MEDICAL DIAGNOSIS OF TERMINAL ILLNESS.

Section II. Providing for Repeal of Conflicting Ordinances.

All ordinances and parts of ordinances in conflict with the provisions of this Ordinance or any part of the Code adopted herein by reference, are hereby repealed.

Section III. Providing for Severability.

If any section, subsection, sentence, clause, phrase or portion of this Ordinance or any part of the Code adopted herein by reference, 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.

Section IV. Providing for Penalties

Any person found responsible for violating the provisions set forth in this ordinance shall be subject to the civil sanctions and habitual offender provisions set forth in Sections 5.1205 and 5.1206 of the Town of Gilbert Land Development Code. Each day a violation continues, or the failure to perform any act or duty required by this zoning ordinance, the Zoning Code or by the Town of Gilbert Municipal Court continues, shall constitute a separate civil offense.

PASSED AND ADOPTED by the Common Council of the Town of Gilbert, Arizona, this 20th day of October, 2016, by the following vote:

AYES: J. Candland, E. Cook, J. Daniels, V. Petersen, B. Peterson

J. Ray, J. Taylor

NAYES: none

ABSENT: none

EXCUSED: none

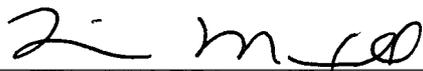
ABSTAINED: none

APPROVED this 20TH day of OCTOBER, 2016.



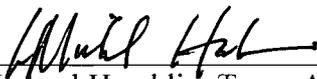
Jenn Daniels, Mayor

ATTEST:



Lisa Maxwell, Town Clerk

APPROVED AS TO FORM:



L. Michael Hamblin, Town Attorney

I, LISA MAXWELL, TOWN CLERK, DO HEREBY CERTIFY THAT A TRUE AND CORRECT COPY OF THE ORDINANCE NO. 2594 ADOPTED BY THE COMMON COUNCIL OF THE TOWN OF GILBERT ON THE 20TH DAY OF OCTOBER, 2016, WAS POSTED IN FOUR PLACES ON THE 27th DAY OF October, 2016.



Lisa Maxwell, Town Clerk