

Section 665. Seventh Avenue Urban Main Street Overlay (SAUMSO) District.

A. **Purpose.** The purpose of this overlay is to establish development standards which achieve the following:

1. Encourage economic development.
2. Allow full utilization of small or irregularly sized parcels.
3. Assist in unifying the overlay area as a cohesive and attractive commercial corridor.
4. Restrict certain land uses which may inhibit investment and improvement of property.
5. Create a pedestrian-oriented streetscape.

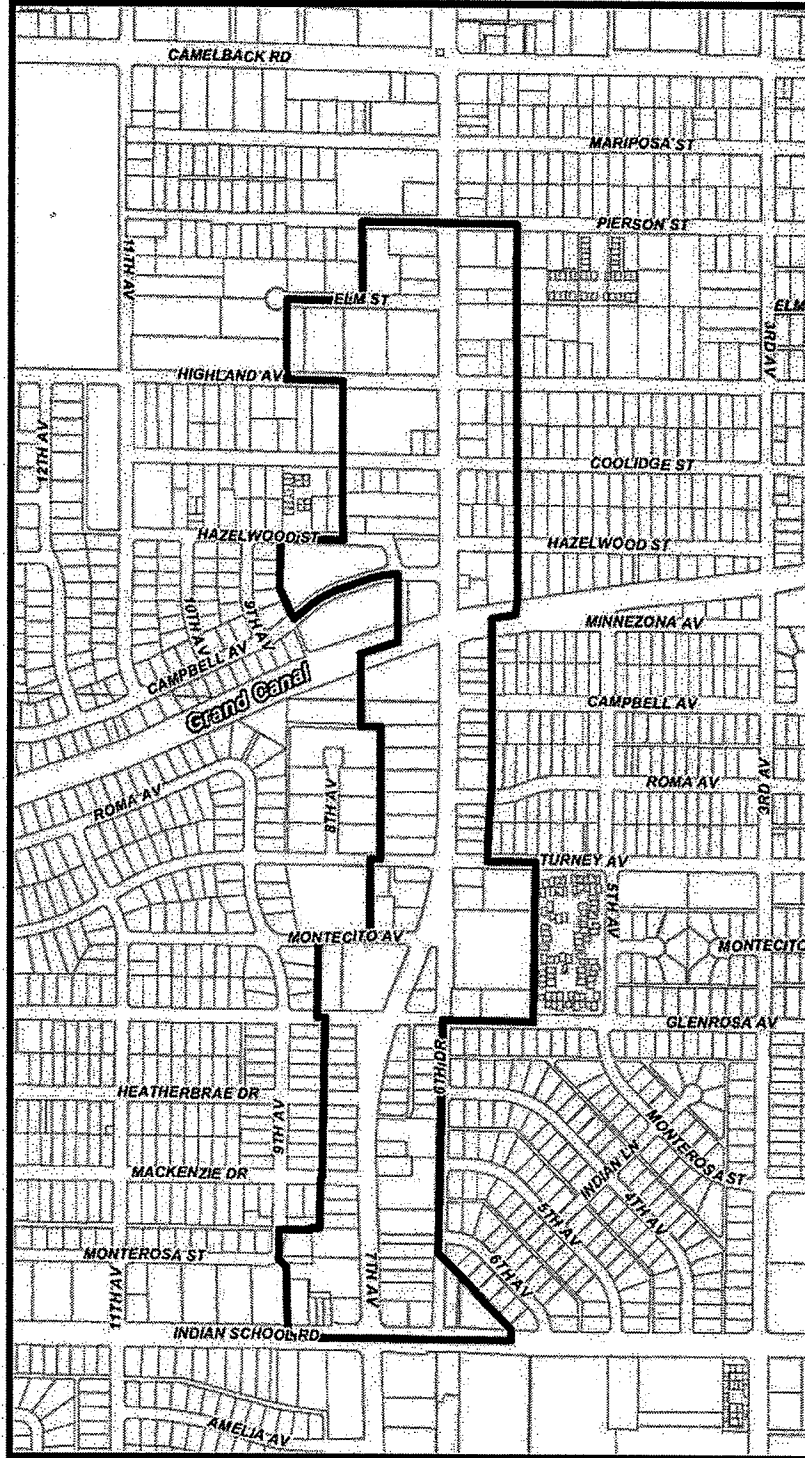
B. **Applicability.** This overlay applies to commercial land uses adjacent to Seventh Avenue between Indian School Road and Pierson Street. The specific boundaries of the overlay are shown on the City of Phoenix Zoning Map. Map 1 illustrates the general boundaries of the overlay.

The regulations governing the uses of land and structures shall be as set forth in the underlying zoning districts except as expressly modified by this overlay. Uses allowed by the underlying zoning are not restricted by this overlay unless specifically identified in the Prohibited Uses Section. In the event there is a conflict, these provisions shall prevail unless otherwise noted.

Projects which have received preliminary site plan, final site plan, or building permit approval prior to the effective date of this ordinance [April 7, 2006] are exempt.

MAP 1: GENERAL OVERLAY BOUNDARIES

Map 1: General Overlay Boundaries



C. Prohibited Uses. The following uses are prohibited within the overlay:

1. Asbestos Products, Wholesale and Storage;
2. Baths, Public;
3. Bingo;
4. Bleach Blending;
5. Blood Banks and Blood Plasma Centers;
6. Bonding Companies;
7. Bottled or Containerized Fuel, Storage, Distribution, and Retail Sales;
8. Car Washes;
9. Chemicals and Drugs, Storage and Distribution;
10. Cigarette Services;
11. Cleaning Compounds Storage;
12. Commercial Radio, Television Tower, or Transmitting Station;
13. Compressed Natural Gas (CNG) Retail Sales;
14. Department Stores Warehouse;
15. Drugs, Wholesale Storage;
16. Firewood, Storage;
17. Freight Depot;
18. Freight Forwarders' Warehouses;
19. Frozen Foods, Processing;
20. Gas Stations;
21. Grocers, Wholesale and Warehouse;
22. Guns, Retail Sales or Repairs;
23. Hotel or Motel;
24. Liquor Storage and Wholesale;
25. Matches, Wholesale and Storage;
26. Mobile Vendors;
27. Motor Freight Company Garages;
28. Movers, Warehouses;
29. Neighborhood Collection Center;
30. Pawn Shop;
31. Perfumes, Compounding, Packaging or Storage;

32. Propane Retail Sales;
33. Public Storage Garages;
34. Public Utility Service Yards;
35. Recovery Home;
36. Self-Service Laundry;
37. Service Stations, Automobile;
38. Taxicab Garages;
39. Veterinarians' Supplies, Wholesale;
40. Wines Storage and Wholesale;

D. Outdoor Display. The outdoor display of merchandise is allowed subject to the following conditions:

1. The outdoor display does not constitute a sign as regulated by Section 705 of the Zoning Ordinance.
2. The outdoor display area does not exceed ten percent of the primary building's ground level gross floor area.
3. The number of parking spaces available to the public is not reduced by the outdoor display.
4. The area of existing courtyards available for public use is not reduced by the outdoor display.
5. The outdoor display coincides with normal business hours.
6. The outdoor display area is dust-proofed.
7. The outdoor display is representative of the merchandise of the retail use.
8. The outdoor display area does not restrict or impede accessible access.

E. Pennants and Streamers. Pennants and streamers are allowed subject to the following conditions:

1. The existing or proposed lot coverage is fifteen percent or less.
2. Streamers are set back from any site property line a minimum distance equal to the longest length of the streamer or pennant.
3. Pennants and streamers are not located within 75 feet of a residential district.

F. Location of Parking. Required parking shall be on the same lot as the use except that parking may be provided on another lot subject to the following conditions:

1. The lot is located within 1,320 feet of the use.
2. Except for public assembly uses, parking may be located on a lot separated from the use by an arterial or collector street.
3. The lot is not located within a residential district.

4. If the lot is not owned by the owner of the property containing the use, the off-site area must be used in conjunction with a recorded, non-cancelable lease, renewable in a minimum of one year increments.

G. Shared Parking Model.

1. A shared parking model may be approved for multiple uses on a single or multiple parcels.
2. There shall be no minimum floor area for any use proposed under a shared parking model.
3. Reductions of total parking required by this overlay greater than thirty percent based on the model must obtain a use permit in accordance with the standards and procedures of Section 307.

H. Development Regulations. The table below (Table 1: Development Regulations) establishes standards for new development, redevelopment, additions, expansions, changes of use, and tenant improvements. The regulations are listed in the second column and the applicability is listed as either "yes", meaning the regulation is applicable to the type of development activity, or "no", meaning the regulation is not applicable. Illustrations 1, 2 and 3 provide examples of development regulations as they apply to new development or redevelopment. The following definitions clarify terms used in Table 1:

1. **New Development**—Building construction on a vacant site.
2. **Redevelopment**—Building construction on a vacant site requiring clearing of existing buildings.
3. **Additions/Expansions**—Building construction, detached or attached, on a site containing a single or multiple structures.
4. **Changes of Use**—One or more new uses proposed on a site containing an existing use.
5. **Tenant Improvements**—Improvements requiring a building permit which do not increase the floor area of an existing structure.
6. **7th Avenue and Glenrosa Streetscape Guidelines**—Approved planning document which contains landscaping guidelines specific to the overlay area.

**TABLE 1
DEVELOPMENT REGULATIONS**

<i>Development Regulations</i>		<i>New Development or Redevelop- ment</i>	<i>Additions and Expansions</i>	<i>Change of Use and Tenant Improvements</i>
Building Setbacks Illustrations 1 & 3	The primary building shall occupy a minimum forty percent of the Seventh Avenue street frontage between 8 and 14 feet from the Seventh Avenue property line except that covered or uncovered pedestrian paths, arcades, awnings, cafe eating areas, decorative monument towers, balconies, bay windows, display windows, and entry features may be located within five feet of the Seventh Avenue property line. (A)	YES	NO	NO
	The minimum setback from the Seventh Avenue property line for any building shall be eight feet.	YES	NO	NO
	Accessory structures shall have no maximum setback from Seventh Avenue so long as the forty percent requirement above is met. (A)	YES	NO	NO
	There shall be no minimum or maximum building setbacks from the Seventh Avenue property line.	NO	YES	YES
	There shall be a five-foot building setback from non Seventh Avenue property lines which are not adjacent to a residential district.	NO	YES	YES

<i>Development Regulations</i>		<i>New Development or Redevelopment</i>	<i>Additions and Expansions</i>	<i>Change of Use and Tenant Improvements</i>
Landscaping and Public Space	A landscape setback of five feet shall be provided adjacent to the Seventh Avenue property line.	YES	NO	NO
Illustrations 2 & 3	The required landscaped setback adjacent to Seventh Avenue shall consist of landscaping materials as described in the 7th Avenue and Glenrosa Streetscape Guidelines. Trees shall be planted at a minimum rate of 1, two inch caliper, tree per every 15 feet of Seventh Avenue linear street frontage, or in equivalent groupings as approved by the Development Services Department. Five shrubs shall be provided with each required tree.	YES	NO	NO
	There shall be no minimum landscape setback from the Seventh Avenue property line.	NO	YES	YES
Illustrations 1 & 3	A minimum of 200 square feet shall be public space visible and directly accessible from Seventh Avenue. Public space shall include seating areas, shade structures, and landscaping. Up to 50% of the required Seventh Avenue landscape setback may be counted towards the public space requirement calculation.	YES	NO	NO
	There shall be no minimum public space requirement.	NO	YES	YES

<i>Development Regulations</i>		<i>New Development or Redevelopment</i>	<i>Additions and Expansions</i>	<i>Change of Use and Tenant Improvements</i>
Lot Coverage	There shall be no maximum lot coverage requirement.	YES	YES	YES
Vehicle Maneuvering and Parking	Vehicle maneuvering in public alleyways shall be allowed by right.	NO	YES	YES
Illustration 3	Required parking may be reduced by fifteen percent when a bicycle parking facility is located on site within 50 feet of the primary building's front entrance, is visible from Seventh Avenue, and allows for a minimum of six bicycles to be parked at one time.	YES	YES	YES
	Required parking shall be the parking existing on the effective date of this ordinance plus fifty percent of the parking required for the additional building area.	NO	YES	NO
	Required parking shall be the parking existing on the effective date of this ordinance except in the case of public assembly uses which shall have a parking requirement equal to fifty percent of the parking required for public assembly uses.	NO	NO	YES
Pedestrian Areas (If Proposed)	Covered walkways and arcades shall be no higher than fifteen feet above finished grade.	YES	YES	YES

<i>Development Regulations</i>		<i>New Development or Redevelopment</i>	<i>Additions and Expansions</i>	<i>Change of Use and Tenant Improvements</i>
Illustration 2	Outdoor dining areas visible from Seventh Avenue shall be provided with a three-foot wall, fence, or landscaped planters where the eating area is not sided by a building.	YES	YES	YES
	Pedestrian pathways between buildings shall be a minimum of 10 feet wide.	YES	NO	NO
<p>(A) An alternative setback may be approved by the Development Services Department which requires that seventy-five percent of the proposed primary building's longest exterior wall must be located between 8 and 14 feet from the Seventh Avenue property line. If the alternative setback is approved, accessory structures shall have no maximum setback from Seventh Avenue so long as the seventy-five percent requirement above is met. Covered or uncovered pedestrian paths, arcades, awnings, cafe eating areas, decorative monument towers, balconies, bay windows, display windows, and entry features may be located within five feet of the Seventh Avenue property line.</p>				

ILLUSTRATION 1

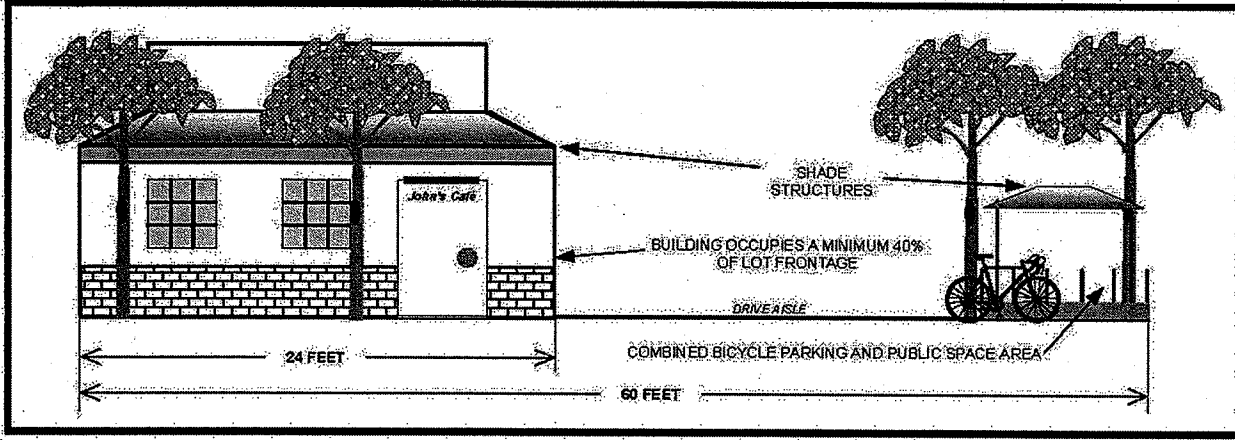


ILLUSTRATION 2

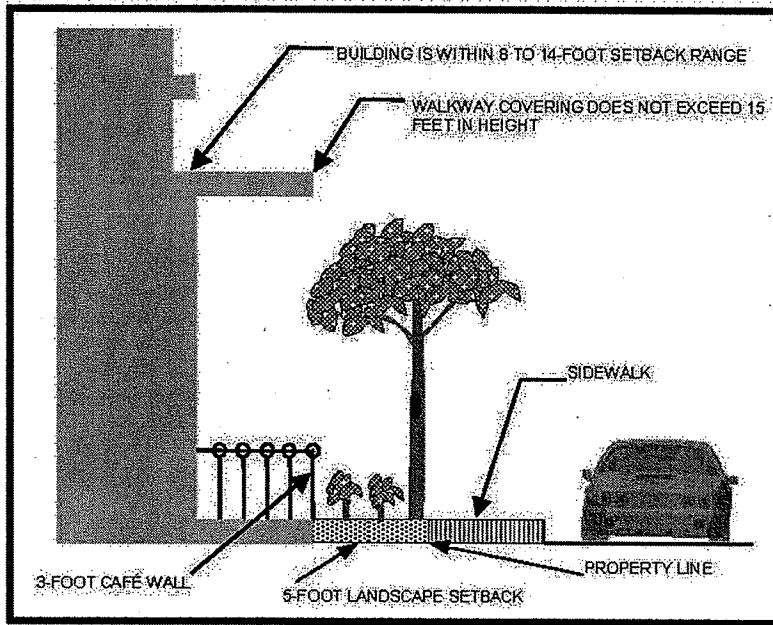
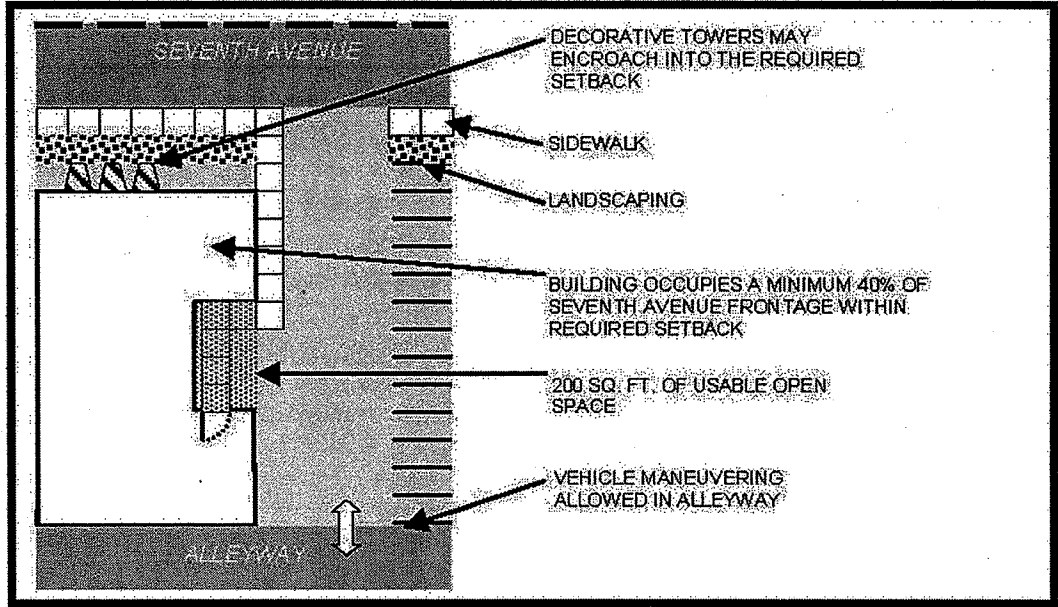


ILLUSTRATION 3



Date of Addition/Revision/Deletion - Section 665

Addition on 3-8-2006 by Ordinance No. G-4783, eff. 4-7-2006

+1 Addition on 4-5-2006 by Ordinance No. G-4792, eff. 4-7-2006