

CHAPTER 23

ZONING DISTRICTS

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Section 23.1 Districts and Boundaries Thereof

A. Division of Town Into Districts; Enumeration

In order to classify, regulate, restrict and separate the use of land, building and structures; and to regulate and to limit the type, height and bulk of buildings and structures; and to regulate the areas of yards and other open areas around and between buildings and structures; and to regulate the density of dwelling units, the Town is hereby divided into the following districts:

1. Single-Family Residential Districts

R1-300 Single-Family Residential District – 300,000 sq. ft. per lot

R1-144 Single-Family Residential District – 144,000 sq. ft. per lot

R1-72 Single-Family Residential District – 72,000 sq. ft. per lot

R1-43 Single-Family Residential District – 43,560 sq. ft. per lot

R1-36 Single-Family Residential District – 36,000 sq. ft. per lot

R1-20 Single-Family Residential District – 20,000 sq. ft. per lot

R1-10 Single-Family Residential District – 10,000 sq. ft. per lot

R1-7 Single-Family Residential District – 7,000 sq. ft. per lot

[Tech Park \(T-P\) Zoning District Side and Rear setback requirements when adjacent to residentially zoned property](#)

2. *Multifamily Residential Districts*

R-4 Townhouse Residential District

R-4R Resort District

R-S Residential Service District

R-6 Multifamily Residential District

3. *Commercial and Other Districts*

C-N Neighborhood Commercial District

C-1 Commercial District

C-2 Commercial District

PS Private Schools District

T-P Technological Park

POS Parks and Open Space

4. *Planned Area Districts*

PRD Planned Residential District

PAD Planned Area Development

5. *Supplementary Districts*

HDZ Hillside Development Zone

ORSCOD Oracle Road Scenic Corridor Overlay District

((O)22-01, 01/05/22; (O)16-16, 12/07/16; (O)07-33, 09/19/07)

Section 23.3 Table of Permitted Uses

The Table of Permitted Uses in this Section sets forth the uses permitted within the base zone districts.

A. *Uses Permitted by Right*

A “P” indicates that a use is permitted as a matter-of-right in the respective zone district, subject to compliance with all applicable regulations in this Code.

B. *Conditional Special Uses*

A “C” indicates that a use category or specific use type is allowed only if reviewed and approved in accordance with the procedures and standards of Section [22.5](#), Use Permits.

C. *Ancillary Uses*

An “A” indicates that the use is permitted as ancillary to the primary uses within the district.

D. *Uses Not Allowed*

A blank cell indicates that a use type is not allowed in the respective zone district, unless it is expressly allowed by other regulations of this Code.

E. *Uses Subject to Specific Regulations*

Numbers in the final column of the Table of Permitted Uses indicate that the listed use is subject to use-specific regulations in one or more districts in which the use is allowed, which can be found within Section [25.1.B](#), unless otherwise indicated.

((O)16-16, 12/07/16)

Deletions shown with **strikethrough**, **ADDITIONS** shown in all **RED CAPS**, State law **ADDITIONS** shown in **PURPLE**

Table 23-1. Permitted Uses

		Single-Family										Multi-Family				Commercial			Other			
USE CATEGORY	SPECIFIC USE TYPE	R1-300	R1-144	R1-72	R1-43	R1-36	R1-20	R1-10	R1-7	S D H 6	R-4	R-4R	R-S	R-6	C-	C-1	C-2	PS	T-P	P O S	NOTES	
RESIDENTIAL USES																						
Residential	ACCESSORY DWELLING UNIT	P	P	P	P	P	P	P	P					P	P						25.2.A.2	
	Apartments													P	P	P					26.5	
	Assisted Living Home	P	P	P	P	P	P	P	P		P	P									25.1.B.1	
	Dwelling Units, Single-Family	P	P	P	P	P	P	P	P					P	P						25.1.B.24	
	Dwelling Units, Site-Delivered, Single-Family									P												

Section 23.4 Table of Dimensional Requirements

All primary and accessory structures shall be subject to the intensity and dimensional standards set forth in the following Tables 23-2. These intensity and dimensional standards may be further limited or modified by other applicable sections of this Code. Additional regulations and rules of measurement are set forth immediately following the table. A “*” indicates that these additional regulations and rules of measurement are applicable.

DRAFT

Table 23-2A. Dimensional Requirements (Residential)

Zoning District	Minimum Property Size	Minimum Lot Area (square feet)		Yard Setbacks (feet)			Building Height	Minimum Distance Between Bldgs	Addl Regs
		Area	Width	Front	Side	Rear		(feet)	
R1-300	-	300,000	300	50	20	50	34	5	23.6.B 25.2.A
R1-144	-	144,000	150	50	20	50	18	5*	23.6.C 25.2.A
R1-72	-	72,000	150	50	35	50	22	5*	23.6.D 25.2.A
R1-43	-	43,560	150	30	20	40	18	5*	23.6.E 25.2.A
R1-36	-	36,000	120	30	15	40	18	5*	23.6.F 25.2.A
R1-20	-	20,000	80	30	15	30	18 ft. or 2 stories	5*	23.6.G 25.2.A
R1-10	-	10,000	80	25	10	25	25 ft. or 2 stories	5*	23.6.H 25.2.A
R1-7	-	7,000	70	20	7.5	20	25 ft. or 2 stories	5*	23.6.I 25.2.A

Zoning District	Minimum Property Size	Minimum Lot Area (square feet)		Yard Setbacks (feet)			Building Height	Minimum Distance Between Bldgs	Addl Regs
		Area	Width	Front	Side	Rear		(feet)	
SDH-6	-	6,000	50	20*	15* (1st side) 5* (2nd side)	25*	18*	20*	23.6.J
R-4	1 acre	*	-	*	*	*	25 feet or 2 stories	10*	23.7.B
R-4R	50 acres prior to street dedications	*	-	*	*	*	34 feet	10*	23.7.C
R-S	-		-	*	*	*	25 feet or 2 stories*	10*	23.7.D 23.7.E 25.2.A
R-6	5 acres (residential)	*	-	30*	20*	20*	25 feet or 2	*	23.7.E 25.2.A

Zoning District	Minimum Property Size	Minimum Lot Area (square feet)		Yard Setbacks (feet)			Building Height	Minimum Distance Between Bldgs	Addl Regs
		Area	Width	Front	Side	Rear		(feet)	
	1 acre (business and professional offices or other permitted or conditional use)						stories*		

Table 23-2B. (Commercial and Other Districts)

Zoning District	Minimum Property Size	Yard Setbacks (feet)			Maximum Building Height	Min. Open Space	Max. Floor Area Ratio	Addl Regs
		Front	Side	Rear				
CN	0 acres	20*	0-50*	0-50*	25 feet or 2 stories	25%	.25	23.8.B
C-1	5 acres	20	0-50*	0-50*	25 feet or 2 stories	20%	.30	23.8.C

Zoning District	Minimum Property Size	Yard Setbacks (feet)			Maximum Building Height	Min. Open Space	Max. Floor Area Ratio	Addl Regs
		Front	Side	Rear				
C-2	10 acres	20	0-50*	0-50*	30 feet or 2 stories	20%	.40	23.8.D
PS	5 acres (schools only)	*	*	*	1 story and 24-45 feet*	25%		23.8.E
T-P	3 acres	20*	0-50*	0-50*	36 feet*	25%	.50*	23.8.F
POS		0-50*	0-50*	0-50*	1 story and 25-45 feet*	*	.15*	23.8.G

([\(O\)20-06](#), 07/15/20; ([O\)18-15](#), 10/03/18; ([O\)18-12](#), 07/18/18; ([O\)16-16](#), 12/07/16; ([O\)11-02](#), 02/02/11; ([O\)07-33](#), 09/19/07; ([O\)06-02](#), 01/04/06)

Deletions shown with ~~strikethrough~~, ADDITIONS shown in all RED CAPS, State law ADDITIONS shown in PURPLE

Section 23.6 Property Development Standards for Single-Family Residential Districts

A. Common Regulations of R-1 Districts

The following property development standards shall apply to all land and buildings in single-family residential districts. Specific lot sizes, setbacks, and criteria which vary among individual single-family residential districts are identified in subsections [A](#) through [H](#) of this section. Alternative development standards in Section [27.10.B.3](#) (environmentally sensitive lands) may be applied at the request of the property owner upon satisfaction of applicable ESL review criteria.

1. Multiple Dwelling Units

Within the R1-144, R1-72, R1-43, and R1-36 Districts, more than one (1) single-family dwelling may be erected upon any one (1) lot. The following provisions shall apply:

- a. An unobstructed access way for ingress/egress shall be provided for each dwelling.
 - i. If such access way is intended to serve one (1) dwelling, the way shall be a minimum of fifteen (15) feet wide.
 - ii. If such access way is intended to serve two (2) or more dwellings, the way shall be a minimum of twenty (20) feet wide.
- b. Each dwelling shall be situated so that if the property were to be divided, each resulting lot with a dwelling would conform to the provisions of this section.

~~2. Detached Accessory Buildings~~

Editor's note: This section moved to 25.2. for consistency. No changes made to the text.

~~Except as noted within the development standards for each district and within Section [25.2.A](#), the following provisions apply.~~

- ~~a. Permitted coverage: Ten (10) percent of the total area of rear and side yard.~~
- ~~b. Accessory buildings shall not exceed the height of the main building nor be any closer to the front lot line than the main building.~~

3. Walls and Fences

Walls and fences shall be located in accordance with the following standards:

a. *Setbacks*

i. *Front*

- a) Walls equal to or less than four (4) feet six (6) inches in height may be located on the property line. Walls taller than four (4) feet six (6) inches in height must meet the front setback of the applicable zoning district.
- b) The supporting columns, posts and door frames for pedestrian entry features associated with courtyard walls, that do not provide usable interior space, may be built in the same location as the front yard wall and shall not exceed eight (8) feet in height.
- c) The supporting columns, posts and frames for vehicular entry gates located at the main access to the lot may be built up to five (5) feet from the front lot line and shall not exceed nine (9) feet in height.

ii. *Side:* Walls equal to or less than six (6) feet in height may be located on the property line. Walls taller than six (6) feet must meet the side setback of the applicable zoning district.

iii. *Rear:* Walls equal to or less than six (6) feet in height may be located on the property line. Walls taller than six (6) feet must meet the rear setbacks of the applicable zoning district.

b. Walls abutting an arterial or collector street, either in the front, side or rear yard, may be up to two (2) feet taller than subsections [A.3.a.i](#) through [iii](#) of this section.

c. Wall placement shall consider drainage, easements, topography and abutting properties.

- d. Refer to Section [23.5.A.2](#) for special requirements regarding corner lots.

4. *Swimming Pools*

Swimming pools shall meet the screening requirements of the most current edition of the International Building Code.

5. *Access*

All lots shall have vehicular access to a dedicated street unless a secondary means of permanent vehicular access has been approved.

6. *Mechanical Equipment Such as Air Conditioners and Pool Pumps*

Mechanical equipment shall be screened by a minimum four (4) foot solid wall except when located:

- a. Inside a yard that is screened by a minimum four (4) foot solid wall and placed no further than ten (10) feet from the screen wall.
- b. Greater than forty (40) feet from the property line and indiscernible to an adjacent neighbor due to opaque vegetation or topography.

(([O](#))18-15, 10/03/18; ([O](#))16-16, 12/07/16; ([O](#))11-15, 05/18/11; ([O](#))11-01, 02/16/11)

B. *R1-300 Single-Family District*

The provisions of subsection [A](#) of this section shall apply. The following additional requirements shall apply in this district.

1. General Aviation Airstrip requirements:
 - a. Minimum site: twenty-five (25) acres.
 - b. Minimum runway length: one thousand five hundred (1,500) feet.
2. Setback of airport facilities: ten (10) feet from all property lines.
3. *Aircraft Hangar*

- a. If located with aircraft (taxiway) access to an airport, each lot may have one accessory building suitable for the storage of aircraft.
- b. Maximum height: thirty-four (34) feet.
- c. Setbacks: twenty (20) feet from property line or edge of street, whichever is most restrictive.
- d. Minimum distance between buildings: ten (10) feet

[Allowance of aviation fuel storage and dispensing at 13100 N. Tailwind Dr. within the La Cholla Airpark](#)

4. *Other Detached Accessory Buildings (Not Including Hangars).*

- a. Permitted coverage: ten percent (10%) of the total area of rear and side yard.

[Front Lot Line for Lindbergh Drive Property](#)

- b. Minimum distance between buildings: ten (10) feet.
- c. Accessory buildings shall not exceed the height of the main building.
- d. Accessory buildings are permitted in the front yard subject to the following:
 - i. No individual structure may exceed two thousand (2,000) square feet in size. The permitted coverage for all structures shall not exceed ten percent (10%) of the total front yard area;
 - ii. Barns and other livestock structures may be larger than two thousand (2,000) square feet if approved by the Planning and Zoning Administrator. Only one accessory structure of this type is permitted;
 - iii. No more than two (2) accessory structures are permitted (not including hangars).
- e. Setbacks:
 - i. Fifty (50) feet front;

- ii. Ten (10) feet side and rear;
 - iii. Twenty (20) feet side when located within the front yard.
5. Buildings, Corrals or Other Livestock Structures must be placed one hundred (100) feet from all property lines. This setback may be reduced to fifty (50) feet if a solid wall a minimum of six (6) feet high is provided to restrict view and sound.

(6/11 supplement, 06/11; (O)10-10, 09/01/10)

C. **R1-144 Single-Family District**

The provisions of Section 23.6.A ~~AND 25.2.A~~ shall apply. The following additional requirements shall apply in this district:

~~1.~~ *Detached Accessory Buildings Setbacks*

Twenty (20) feet from side and forty (40) feet from rear if building is not used for poultry or animals; one hundred (100) feet if building is used for poultry or animals, except that it may be reduced to fifty (50) feet if a solid wall a minimum of six (6) feet high is provided to restrict view and sound.

2. Accessory buildings are permitted in the front yard, subject to the following:
- a. Front setback: fifty (50) feet.
 - b. Side setback: twenty (20) feet.
 - c. Lot coverage: twenty percent (20%) of front yard area.
 - d. Buildings used for livestock or poultry shall maintain one hundred (100) foot setbacks from all property lines, except that it may be reduced to fifty (50) feet if a solid wall a minimum of six (6) feet high is provided to restrict view and sound.
 - e. No more than two (2) accessory buildings are permitted in front yard.
 - f. No individual accessory building may exceed one thousand five hundred (1,500) square feet.
 - g. Accessory buildings shall not exceed one hundred twenty percent (120%) of the height of the main building, or eighteen (18) feet, whichever is lower.

- h. Section [25.2.A.3](#) shall not apply in this district.

D. R1-72 Single-Family Residential District

The provisions of Sections [23.4](#), ~~and~~ [23.6.A](#) **AND 25.2.A** shall apply. The following additional requirements shall apply in this district.

1. Detached Accessory Buildings Setbacks:

Side and rear: thirty-five (35) feet.

2. Grading Limits:

Twenty thousand (20,000) square feet.

E. R1-43 Single-Family Residential District

The provisions of Sections [23.4](#), ~~and~~ [23.6.A](#) **AND 25.2.A** shall apply. The following additional requirements shall apply in this district.

1. *Detached Accessory Buildings Setbacks*

Side and rear: fifteen (15) feet.

F. R1-36 Single-Family Residential District

The provisions of Sections [23.4](#), ~~and~~ [23.6.A.3](#) **AND 25.2.A** shall apply.

G. R1-20 Single-Family Residential District

The provisions of Sections [23.4](#), ~~and~~ [23.6.A](#) **AND 25.2.A** shall apply.

H. R1-10 Single-Family Residential District

[Open Space and Buffer Yard Standards for Hallaq Properties](#)

The provisions of Section [23.4](#), ~~and~~ [23.6.A.3](#) **AND 25.2.A** shall apply. The following additional requirements shall apply in this district.

1. *Detached accessory buildings*

Permitted coverage: fifteen (15) percent of total area of rear and side yard.

I. R1-7 Single-Family Residential District

The provisions of Section 23.4, ~~and 23.6.A~~ **AND 25.2.A**, shall apply. The following additional requirements shall apply in this district.

1. *Detached accessory buildings*

Permitted coverage: fifteen (15) percent of total area of rear and side yard.

J. SDH-6 Site Delivered Housing District

The provisions of Section 23.4 shall apply. The following additional requirements shall apply in this district:

1. *Distance Between Dwellings*

A minimum of twenty (20) feet shall be provided between all dwellings, including carport, patio, or porch overhangs.

2. *Detached Accessory Buildings*

- a. Permitted coverage: Fifteen percent (15%) of the total area of rear and side yard.
- b. Minimum distance to side and rear lot lines: five (5) feet

3. *Design Standards*

Dwellings within this district shall comply with the following design standards for the purposes of providing adequate light and air, improving safety, and affording compatible community design.

- a. All dwellings shall have a minimum width of sixteen (16) feet and shall contain at least six hundred forty (640) square feet.
- b. All dwellings shall be attached to a permanent foundation.
- c. The roof shall have a minimum two to twelve (2:12) roof pitch and shall have a surface of asphalt composition, concrete or clay tile, fiberglass or metal tiles, slate, or other materials of like appearance and color as approved by the Building Official and the Planning and Zoning Administrator (PZA). PZA decisions may be appealed to the Board of Adjustment.

- d. Exterior siding materials shall consist of wood, masonry, concrete, stucco, masonite, or other materials of like appearance as approved by the Building Official, Planning and Zoning Administrator, and the Planning and Zoning Commission.
- e. All dwellings shall be constructed in accordance to standards established by the State, as amended from time to time, or the National manufactured Housing Construction and Safety Standards Act for manufactured homes. Each of these codes shall be applicable to the specific structure as defined therein.
- f. As appropriate, skirting of a compatible material and color to the dwelling shall be installed to screen any area between the floor of the dwelling and the permanent foundation.
- g. Utility lines shall be buried, and utility related equipment, including air-cooling devices, shall be screened from view as observed from public or private thoroughfares.
- h. All towing devices, wheels, axles, and hitches must be removed.

4.Exceptions

Any site delivered housing subdivision completed prior to the adoption of the ordinance codified in this Chapter, whether approved by Oro Valley or Pima County, retains the right to replace dwellings and accessory structures on existing lots, regardless of lot size. Replacement dwellings and accessory structures shall comply with the requirements of Section 23.1.B and subsection I of this section with the following exceptions:

- a. Replacement dwellings may be of a material and color similar to that of the home being replaced;
- b. Replacement dwellings shall be a similar building height to the existing home and shall not exceed eighteen (18) feet or one (1) story;
- c. The method of anchoring the replacement dwelling to the ground may be similar to that of the dwelling to be replaced;
- d. The replacement dwelling shall, at a minimum, comply with the following setbacks:
 - i. Front: Ten (10) feet

- ii. Side: Five (5) feet on the right side and fifteen (15) feet on the left side, as viewed from the front of the lot.
- iii. Rear: Five (5) feet
- iv. A minimum spacing of twenty (20) feet shall be maintained between all dwellings.
- v. Replacement dwellings on corner lots shall not be located any closer to a public or private street than the home being replaced.
- vi. New accessory structures shall comply with the setbacks required in subsections J.4.d.i, ii, and iii of this section.
- e. As applicable, replacement dwellings shall provide skirting. Acceptable skirting materials include aluminum, wood, and masonry.
- f. Detached accessory structures not in conformance with this Code may be replaced and expanded so long as the replacement or expansion does not increase the degree of non-conformance with this Code.
- g. Replacement dwellings may utilize roof-mounted air-cooling devices.

5.Architectural Review

All dwellings, except those provided for in Section 23.6.J.4, shall be required to obtain architectural approval from the Planning and Zoning Commission in accordance with the procedures outlined in Section 22.9.

((O)17-05, 06/07/17; (O)11-15, 05/18/11)

Section 23.7 Property Development Standards for Multi-Family Residential Districts

A. Common Regulations of Multi-Family Districts

Alternative development standards in Section 27.10.B.3 (environmentally sensitive lands) may be applied at the request of the property owner upon satisfaction of applicable ESL review criteria.

1.Walls and Fences

- a. Section 23.6.A.3 shall apply to individual townhome lots or properties built with a single-family home.

2.Setback Exceptions

- a. Section 23.5.C.2 shall apply to single-family home properties built in a multi-family residential district.

((O)18-15, 10/03/18; (O)11-01, 02/16/11)

D. R-S Residential Service District

The provisions of Section 23.4 and the following additional requirements shall apply in this district:

1.Standards for Townhouses

Whenever dwelling units are to be built as townhouses, the development standards in Section 23.7.B shall apply. **SECTION 25.2.A IS APPLICABLE TO PROPERTIES BUILT WITH SINGLE-FAMILY DWELLINGS.**

2.Density

The minimum gross land area per dwelling unit shall be five thousand four hundred fifty (5,450) square feet.

3.Open Space and Recreation Requirements

- a. There shall be a minimum of thirty-six percent (36%) of the net lot area in open space.
- b. Open space shall be provided in the following proportions:
- i. A minimum of twelve percent (12%) of the net lot area shall be provided as frontage open space to provide a setting for the building, visual continuity within the community and a variety of spaces in the streetscape, except that the frontage open space shall not be required to exceed fifty (50) square feet per one (1) foot on public street frontage excluding drives.

Exception: Where a lot has two (2) or more street frontages, there shall be no less than twenty (20) square feet of open space per one (1) foot of street frontage for one (1) street and no less than ten (10) square feet of open space per one (1) foot

of street frontage excluding drives for other street(s). In no case shall a building be closer than twenty (20) feet to the front lot line.

ii. A private outdoor living space shall be provided adjoining each dwelling unit equal to a minimum of twenty percent (20%) of the gross size of the dwelling unit, except that dwelling units above the first story shall provide space equal to a minimum of ten percent (10%) of the gross size of the dwelling unit. Outdoor living space on the ground level may be included in the open space requirements.

iii. Sites developed with residential uses, or a combination of residential and nonresidential uses, shall provide recreational space subject to the requirements in Section 26.5.

iv. The remainder of the required open space shall be provided in common open space.

4. Building Height

a. If the R-S development abuts a Single-Family Residential District or an alley abutting a Single-Family Residential District, the Town Council may limit the building height to one (1) story. The Planning and Zoning Commission shall provide a recommendation to the Town Council regarding the building height limitation.

5. Yards and Setbacks

a. Wherever an R-S development abuts an R-1 or R-4 District, or an alley abutting any of those districts, a building setback of not less than forty (40) feet shall be maintained, except that covered parking may be constructed adjacent to the required bufferyard.

b. Wherever an R-S development abuts any district other than R-1 or R-4 or abuts an alley adjacent to such other district, a building setback of not less than twenty (20) feet shall be maintained except that covered parking may be constructed adjacent to the required bufferyard.

c. Larger setbacks may be required if the existing or future development of the area around the site warrants such larger setbacks.

d. All areas between a building and a street frontage, except for access drives and walks, shall be open space. Where parking occurs between a building and street, an area

thirty-five (35) feet in depth between the street and parking shall be maintained in a landscaped setting. This depth may be decreased to a minimum of twenty (20) feet if special circumstances warrant approval by the Planning and Zoning Commission, such circumstances being:

i. Depressed parking.

ii. Wall and berming.

e. *Walls and Fences*

i. Walls and fences within the required frontage open space may not exceed three (3) feet in height or except as otherwise approved by the Building Official and the Planning and Zoning Administrator. Decisions may be appealed to the Town Council.

((O)23-04, 10/18/23; (O)22-01, 01/05/22; (O)18-12, 07/18/18; (O)17-05, 06/07/17; (O)11-15, 05/18/11; (O)11-01, 02/16/11)

E. R-6 Multi-Family Residential District

The provisions of Section 23.4, 25.2.A and the following additional requirements shall apply in this district.

1. Standards for Townhouses

Whenever dwelling units are to be built as townhouses, the development standards in Section 23.7.B shall apply with the exception of density (Section 23.7.E.2) and building height (Section 23.7.E.4).

2. Density

The minimum gross land area per dwelling unit shall be three thousand five hundred (3,500) square feet, except that: the minimum gross land area per dwelling unit may be increased if based on conditions unique to the site as recommended by the Planning and Zoning Commission and approved by the Town Council.

3. Open Space and Recreation Requirements

Development of all R-6 zoned property shall provide a minimum of thirty-five percent (35%) of the net lot area as open space in the following proportions:

a. *Repealed by (O)23-04.*

b. [Sites](#) developed with residential [uses](#), or a combination of residential and nonresidential [uses](#), shall provide recreational space subject to the requirements in Section [26.5](#) and the following:

i. Portions of the rear and side [yards](#) which are contiguous with, and an integral part of, the outdoor living space may be included in calculating the area and minimum dimensions of the [recreation area](#).

ii. Pools and paved [recreation areas](#) may be developed as part of the required common space.

c. A private outdoor living space shall be provided adjoining each [dwelling unit](#), equal to a minimum of twenty percent (20%) of the gross size of the [dwelling unit](#), [except](#) that [dwelling units](#) above the first [story](#) shall provide such space equal to a minimum of ten percent (10%) of the gross size of the [dwelling unit](#). Outdoor living space on ground level may be included in the [open space](#) requirement.

i. Outdoor living areas shall be reasonably accessible to [dwelling units](#) served.

ii. [Driveways](#) and [landscaping](#) within [driveway](#) areas shall not be included in calculations of outdoor space.

d. The remainder of the required [open space](#) shall be provided in [common open space](#).

4. *Building Height*

a. If the R-6 development [abuts](#) an R1-144, R1-43, R1-36, or R1-20 Single-Family Residential [District](#) the [building height](#) shall be limited to single [story](#) with a maximum exterior height of eighteen (18) feet within one hundred (100) feet of these [districts](#).

b. If the R-6 development [abuts](#) an R1-10, R1-7, R-4, R-S, R-4R, or another R-6 Residential [District](#), [building height](#) may be limited to single [story](#), with a maximum exterior [building height](#) of eighteen (18) feet, within fifty (50) feet as may be recommended by the [Planning and Zoning Commission](#) and approved by [Town Council](#).

5. *Minimum Distance Between Buildings*

- a. Between two (2) single-story structures: Ten (10) feet;
- b. Between a single-story and a two (2) story structure: Fifteen (15) feet;
- c. Between two (2) two (2) story structures: Twenty (20) feet.

6. Walls, Fences and Required Screening

- a. Walls and fences within the required front setback are limited to three (3) feet, unless otherwise approved by the Building Official or Planning and Zoning Administrator. Decisions may be appealed to the Town Council.
- b. All areas between a building and a street frontage except for access drives and walks shall be open space. Where parking occurs between a building and the street, an area thirty-five (35) feet in depth between the street and parking shall be maintained in a landscaped setting. This depth may be decreased to a minimum of twenty (20) feet if special circumstances warrant approval by use permit or Planning and Zoning Commission approval, such circumstances being:
 - i. Depressed parking;
 - ii. Wall and berming.

Section 25.2 Accessory Uses and Structures

A. Accessory Buildings ~~—General~~

Editor's Note: Sections from 23.6.A.2 have been moved into this location for clarity. No other changes made to the standards on this page.

1. General

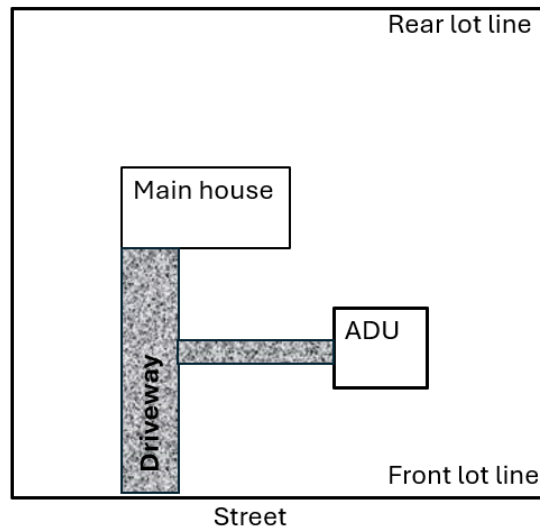
EXCEPT AS NOTED WITHIN THE DEVELOPMENT STANDARDS FOR EACH DISTRICT THE FOLLOWING PROVISIONS APPLY.

- a. Accessory buildings shall not alter the principal use of the subject lot or adversely affect other properties in the district.
- b. Accessory buildings shall not be constructed upon a lot unless the construction of the main building has actually commenced.
- c. Accessory buildings shall not be permitted in a front yard, unless specifically permitted within the applicable zoning district.
- d. ACCESSORY BUILDINGS SHALL NOT BE ANY CLOSER TO THE FRONT LOT LINE THAN THE MAIN BUILDING.
- e. If setbacks for accessory buildings are not specifically called out within the applicable zoning district, accessory buildings must meet all side setbacks and shall not be constructed closer than five (5) feet to any rear lot line.
- f. Accessory buildings used as a garage or carport having access from an alley shall not be located closer than fifteen (15) feet to the center line of said alley.
- g. PERMITTED COVERAGE: TEN (10) PERCENT OF THE TOTAL AREA OF REAR AND SIDE YARD.
- h. ACCESSORY BUILDINGS SHALL NOT EXCEED THE HEIGHT OF THE MAIN BUILDING.

2. ACCESSORY DWELLING UNIT

- a. QUANTITY: ONE (1) ATTACHED OR DETACHED ACCESSORY DWELLING UNIT PERMITTED ON THE SAME LOT OR PARCEL AS A SINGLE-FAMILY DWELLING.
- b. SIZE: SHALL NOT EXCEED THE SIZE OF THE PRIMARY SINGLE-FAMILY DWELLING UNIT ON THE SITE.
- c. SETBACKS:
 - i. FRONT: SUBJECT TO THE SAME SETBACK REQUIREMENTS THAT APPLY TO A SINGLE-FAMILY DWELLING ON THE SAME LOT
 - ii. SIDE: FIVE (5) FEET
 - iii. REAR: FIVE (5) FEET
- d. DISTANCE BETWEEN BUILDINGS: (5) FIVE FEET
- e. BUILDING HEIGHT: THE ACCESSORY DWELLING UNIT IS SUBJECT TO THE SAME HEIGHT RESTRICTIONS THAT APPLY TO A SINGLE-FAMILY DWELLING WITHIN THE SAME ZONING.
- f. PARKING: NO ADDITIONAL PARKING SHALL BE REQUIRED TO ACCOMMODATE THE ACCESSORY DWELLING UNIT.
- g. DRIVEWAY ACCESS:
 - a. IF AN ACCESSORY DWELLING UNIT IS LOCATED BETWEEN THE MAIN HOUSE AND THE FRONT LOT LINE, THE FOLLOWING ARE PROHIBITED:
 - i. A GARAGE OR CARPORT ATTACHED TO THE ACCESSORY DWELLING UNIT.
 - ii. A SEPARATE DRIVEWAY ACCESSED DIRECTLY FROM THE STREET.
 - b. THE DRIVEWAY TO THE ACCESSORY DWELLING UNIT MUST SHARE THE DRIVEWAY OF THE PRIMARY HOUSE AS DEMONSTRATED IN FIGURE 25.2.
 - c. A SEPARATE DRIVEWAY FROM THE STREET IS ALLOWED TO ACCESS AN ACCESSORY DWELLING UNIT LOCATED ONLY IN THE SIDE OR REAR YARD.

Figure 25.2 Shared driveway



- h. DESIGN STANDARDS: EXTERIOR DESIGN, ROOF PITCH AND FINISH MATERIALS, SHALL NOT APPLY TO AN ACCESSORY DWELLING UNIT
- i. TIMING: A BUILDING PERMIT FOR AN ACCESSORY DWELLING UNIT SHALL NOT BE ISSUED UNLESS THE PRIMARY RESIDENCE HAS OBTAINED A PERMIT AND COMPLETED INTERMEDIATE INSPECTIONS.
- j. MOVEABLE HABITABLE SPACE: A MOBILE HOME, RECREATIONAL VEHICLE OR SIMILAR MOVEABLE HABITABLE SPACE SHALL NOT BE USED AS AN ACCESSORY DWELLING UNIT.

Section 27.7 Off-Street Parking

A. Purpose

This section establishes requirements for vehicle and bicycle parking consistent with the objectives of the general plan and a balanced transportation system to promote public safety and environmental quality. These regulations are intended to:

1. Ensure sufficient off-street vehicle and bicycle parking facilities by establishing parking requirements for land uses.
2. Reduce the visual impact of mass “seas of parking” by distributing spaces around clusters of buildings.
3. Reduce excessive off-street parking by encouraging the shared use of vehicular use areas.
4. Promote pedestrian safety by separating vehicular use areas from pedestrian areas.
5. Encourage safe, convenient, and efficient design of parking spaces, circulation, and access areas.
6. Improve air quality by requiring paving of vehicular use areas.
7. Promote the enhancement of the community identity and the appearance of Town roadways and development areas.
8. The Town of Oro Valley, in keeping with the Federal Clean Air Act, wishes to encourage the use of alternative transportation modes such as the bicycle. Reducing the number of vehicular parking spaces in favor of bicycle parking spaces will help attain the standards of the Federal Clean Air Act, reduce impervious surfaces, and save on land and development costs.

[\(\(O\)22-01](#), 01/05/22)

B. Applicability

The provisions of this section apply to:

1. New development.
2. *New Uses Replacing Existing Uses*

Whenever the use of an existing development is changed to a new use which requires more parking spaces under this section than were required for the prior use, additional parking spaces shall be provided in accordance with the requirements of this section. No occupancy permit shall be issued until the Planning and Zoning Administrator has approved the parking requirements for the new use.

3. *Expansions*

All projects that propose twenty-five percent (25%) or more cumulative addition or structural modifications such as changes in square footage, gross floor area, building facade, etc., shall meet the requirements of this code for the entire property. In addition, a twenty-five percent (25%) or more cumulative modification or replacement of parking spaces or parking lot area shall meet the requirements of this code.

[\(\(O\)22-01](#), 01/05/22)

C. *General Provisions*

1. *Parking Required for Uses Not Listed*

Required parking for uses not listed in this section shall be determined by the Planning and Zoning Administrator based on similar uses listed in this section.

2. *Shared Parking*

When a mix of nonresidential uses creates staggered peak periods of parking demand, shared parking calculations shall be made to reduce the total amount of required parking for retail, office, institutional and entertainment uses. Total required parking is calculated as the number of parking spaces identified in Table 27-14 less shared parking.

3. *Alternative Compliance*

When total proposed parking counts result in increases or decreases to required parking, an alternative parking ratio may be approved, subject to the following:

-
- a. Review Criteria: For an alternative parking ratio to be approved, the proposed alternative plan must accomplish the purpose of this section equally well or better than the standards of this section. Specific considerations include, but are not limited to, the following:
- i. The number of employees occupying the building or land use and the number of expected customers or clients.
 - ii. The availability of nearby parking (if any).
 - iii. Purchased or leased parking spaces in a municipal or private parking lot meeting the requirements of the Town; trip reduction programs (if any).
 - iv. Any other factors that may be unique to the applicant's development request.
 - v. Continuity and convenient proximity for pedestrians between or among existing or future uses in the vicinity.
 - vi. Visual and aesthetic impact along the public street by placing parking lots to the rear or alongside of buildings, to the maximum extent feasible. Visual and aesthetic impact of the surrounding neighborhood.
 - vii. Convenient access to alternative modes of transport.
 - viii. Impact on any facilities serving alternative modes of transportation.
 - ix. Impact on natural areas or features.
 - x. Maintenance of mobility-impaired parking ratios.
- b. Increases of twenty percent (20%) or less and reductions of twenty percent (20%) or less to required parking spaces in Table 27-14 may be approved by the Planning and Zoning Administrator.
- c. Increases of more than twenty percent (20%) and reductions of more than twenty percent (20%) to required parking spaces in Table 27-14 requires Planning and Zoning Commission approval unless otherwise enabled by Section [24.9.C.3](#).

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3. Where there are multiple uses in a development, the sum of the number of parking spaces required for the individual uses applies unless shared parking is approved per subsection [C.2](#) of this section.
 4. Maintenance: The property owner shall be responsible for maintaining any vehicular use area in good condition and free of refuse, weeds and debris.
 5. Fractional Amounts: When the final result of the calculation of required vehicle or bicycle spaces results in a fractional number, a fraction is adjusted to the next higher whole number.
 6. Areas That May Not Be Used for Required Parking: Spaces in service bays, stacking areas, car wash bays, gasoline pumps or other hose locations, fire lanes or those used for the storage or display of vehicles for sale or rent to the public are not considered off-street parking spaces.
 7. Off-street parking required by this chapter shall not be located within any public right-of-way, unless approved by the Town Engineer and Planning and Zoning Administrator.
 8. Building Permits: No building permit shall be issued until the applicant has presented satisfactory evidence that sufficient property to provide parking to serve the intended use as required in this chapter is permanently available.
 9. Control of Parking Lots: Property used for parking shall be under the same ownership as and contiguous to the generating use. When the property is not under the same ownership as the generating use or is not contiguous to the generating use, the following shall apply:
 - a. It shall be zoned for parking only or the same district classification as the generating use.
 - b. A recommendation for approval by the Planning and Zoning Administrator shall be obtained regarding the parking relationship to the generating use.
 - c. The owner(s) shall record restrictive covenants running with the land on the generating use and parking properties specifying that the generating use cannot continue if the parking use is discontinued.
-

((O)22-01, 01/05/22; (O)17-05, 06/07/17; (O)11-15, 05/18/11)

D. Parking Lots – Required Number of Spaces for Type of Use

1. Residential Parking Requirements: Residential uses shall provide a minimum number of parking spaces as defined by the standards below. Any increase or decrease in parking shall be in accordance with subsection [C.2](#) of this section.

a. Attached Dwellings: For each two (2) family and multifamily dwelling, there shall be parking spaces provided as indicated by the following table:

Table 27-13. Attached Dwelling Parking

Unit Number of Bedrooms/Dwelling Unit	Parking Spaces per Dwelling
One or less	1.5
Two	1.75
Three	2.0
Four	2.5
Plus one (1) space per every four (4) units for guest parking.	

b. Guest Parking: Off-street guest parking spaces in multifamily developments shall be distributed proportionally to effectively serve the dwelling units that they are intended to serve. Such parking shall not be located more than two hundred (200) feet from any dwelling unit that is intended to be served.

c. Single-Family Detached: For each single-family dwelling, there shall be at least two (2) parking spaces and two (2) guest spaces. Parking of any vehicle in the front yard of a lot shall be prohibited unless parked on a surface of asphalt, concrete, rock, or other similar inorganic material with a permanent border.

[Allowance of aviation fuel storage and dispensing at 13100 N. Tailwind Dr. within the La Cholla Airpark](#)

d. Mobile Homes: There shall be two (2) parking spaces per dwelling unit and one (1) space per four (4) units for guest parking.

E. ACCESSORY DWELLING UNIT: THE TOWN CANNOT REQUIRE ADDITIONAL PARKING TO ACCOMMODATE AN ACCESSORY DWELLING UNIT

2. Nonresidential Parking Requirements: The table below sets forth the number of required parking spaces for nonresidential uses within the Town.

Table 27-14. Required Parking Spaces

Permitted Use	Parking Spaces/Square Feet (Unless Otherwise Noted)
Accessory buildings and uses	Not applicable
Commercial stables	0.75/employee and 0.75/horse stall
Farms and ranches	1 per 2 employees
Marketing of products raised on the premises	4/1,000
Plant nursery	4/1,000
Bars	20/1,000
Distillery	0.75/employee and 20/1,000 for bar
Entertainment at bars or restaurants	NO OTHER PAGES MODIFIED PAST THIS POINT

CHAPTER 31

DEFINITIONS

For the purpose of this code, certain terms and words are hereby defined. Words used in the present tense shall include the future; the singular number shall include the plural and the plural shall include the singular; the word "building" shall include the word "structure," the word "lot" shall include the word "plot"; the word "may" is permissive and the word "shall" is mandatory, further, the word "or" shall mean "either" and the word "and" shall mean "in conjunction with." "Zone" shall mean "district."

Abandoned Sign

A sign which advertises, identifies or gives notice of a business which is no longer in operation or an activity which has already occurred.

Abutting

The condition of two (2) adjoining properties having a common property line or boundary including cases where two (2) or more lots adjoining only a corner or corners, but not including cases where adjoining lots are separated by a street or alley.

Access or Access Way

The place, means, or way by which pedestrians and vehicles shall have safe, adequate, and usable ingress and egress to a property or use as required by this code.

Access Drive

The drive that allows vehicles ingress and egress from a site.

Access Road

A road within one (1) mile of the grading site, designated on the approved grading plan, and used during grading, for the transport of grading equipment, hauling of fill and other equivalent traffic to and from the grading site.

Accessory Building

A building, the use of which is customarily incidental to that of a dominant use by the occupants of the main building or by their non-paying guests and employees.

Accessory Dwelling Unit

AN ATTACHED OR DETACHED SELF-CONTAINED LIVING UNIT THAT IS ON THE SAME LOT OR PARCEL AS A SINGLE-FAMILY DWELLING OF GREATER SQUARE FOOTAGE THAN THE ACCESSORY DWELLING UNIT, THAT INCLUDES ITS OWN SLEEPING AND SANITATION FACILITIES AND THAT MAY INCLUDE ITS OWN KITCHEN FACILITIES

Accessory Use

A use customarily subordinate to the main use of the lot or building.

Editor's note: The list of other definitions, unrelated to this code revision, were not included in this document.

~~*Guest House*~~

~~An attached or detached accessory building used to house guests of the occupants of the principal building. A guest house providing kitchen facilities shall be considered a dwelling unit.~~

Editor's note: No other changes made to definitions past "Guest House"