ORDINANCE G-6150

AN ORDINANCE AMENDING PORTIONS OF THE CODE OF THE CITY OF PHOENIX, ARIZONA, PART II, CHAPTER 41, THE ZONING ORDINANCE OF THE CITY OF PHOENIX BY AMENDING SECTION 202 (DEFINITIONS), SECTION 623.D.(C-2 INTERMEDIATE COMMERCIAL) TO ADD ELECTRONIC NICOTINE DELIVERY SYSTEM TO THE TOBACCO-ORIENTED RETAILERS, TO ADD RECREATION CENTER, DEPENDENT CARE FACILITIES, HOMELESS SHELTERS, AND YOUTH COMMUNITY CENTERS TO THE LAND USES REQUIRING SEPARATION, AND TO INCREASE THE SEPARATION FROM LAND USES TO 1,320 FEET AND SECTION 706.B TO REMOVE THE DISTANCE REQUIREMENTS BETWEEN STRUCTURES.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PHOENIX, as follows:

SECTION 1: That Chapter 2, Section 202 (Definitions) is amended to read:

Amend Chapter 2, Section 202 (Definitions) by amending the following definition as follows:

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Theaters: A building or part of a building devoted to showing motion pictures, or for dramatic, dance, musical, or other live performances.

Tobacco Oriented Retailer: An establishment engaged in the sale and/or display of tobacco related products, including, but not limited to: cigarettes, chewing and dipping tobacco, cigarette papers, ELECTRONIC NICOTINE DELIVERY SYSTEM, or any other instrument or paraphernalia for the smoking or ingestion of tobacco and products prepared from tobacco. This includes uses such as, but not limited to, a cigar store, head shop, or hookah lounge, OR VAPE LOUNGE. A tobacco oriented retailer shall MUST not
include any establishment over 10,000 square feet in gross floor area, or any establishment devoting less than 15 percent of its floor space to the sale/display of tobacco related products.

Tourist Court: Same as “Motel”.

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SECTION 2: That Chapter 6, Section 623.D (C-2 Intermediate Commercial), is amended to read:

Amend Chapter 6, Section 623.D (Commercial C-2 District—Intermediate Commercial, Permitted Uses) as follows:

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189. Tire Repairing Equipment and Supplies

190. Tobacco oriented retailers, subject to the following limitations:

a. Shall not be located within 500 feet of the same type use.

b. Shall not be located within 500–1,320 feet of a public, private, or charter school providing primary or secondary education, a park or playground, or a licensed daycare facility, DEPENDENT CARE FACILITY, HOMELESS SHELTER, YOUTH COMMUNITY CENTER, RECREATION CENTER, OR PLACE OF WORSHIP.

191. Tobacco, Wholesale and Storage

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SECTION 3: That Chapter 7, Section 706.B (Accessory Uses and Structures), is amended to read:

Amend Chapter 7, Section 706 (Accessory Uses and Structures) as follows:

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B. All detached accessory structures in the side and rear yard, not used for sleeping or living purposes, are to maintain a minimum setback of three feet from property lines and six feet between structures on the same lot. Swimming pools are to maintain a minimum setback of three feet from exterior property lines.

C. All accessory structures located within the required side yard are not to exceed eight
feet in height.

PASSED by the Council of the City of Phoenix this 20th day of April, 2016

Greg Stanton  
MAYOR

ATTEST:

_____ Cris Meyer _______ City Clerk

APPROVED AS TO FORM:

_____ Daniel L. Brown _______ Acting City Attorney

REVIEWED BY:

_____ Ed Zuercher _______ City Manager