

## Division 10-40.60: Specific to Uses

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### Sections:

- 10-40.60.010 Purpose and Applicability
- 10-40.60.020 Accessory Buildings and Structures
- 10-40.60.030 Accessory Dwelling Units (ADUs)
- 10-40.60.040 Accessory Wind Energy Systems
- 10-40.60.050 Adult Entertainment
- 10-40.60.060 Airport/Landing Strips, Heliport, or Helistops
- 10-40.60.070 Animal Keeping
- 10-40.60.080 Automobile, Go-kart, and Miniature Automobile Racing
- 10-40.60.090 Automobile Service Station and Convenience Store
- 10-40.60.100 Automobile/Vehicle Repair Garage - Major/Minor
- 10-40.60.110 Bed and Breakfasts
- 10-40.60.120 Co-housing
- 10-40.60.130 Commercial Campground
- 10-40.60.140 **Community Garden**
- 10-40.60.150 Day Care Home and Center
- 10-40.60.160 Drive-through Retail
- 10-40.60.170 Dwelling, Cluster
- 10-40.60.180 Home Occupations
- 10-40.60.190 Homeless Shelter
- 10-40.60.200 Live/Work
- 10-40.60.210 Manufactured Home
- 10-40.60.220 Medical Marijuana Uses
- 10-40.60.230 Meeting Facilities, Public and Private
- 10-40.60.240 Mini-Storage Warehousing
- 10-40.60.250 Mixed Use
- 10-40.60.260 Outdoor Commercial Recreation Structures
- 10-40.60.270 Planned Residential Development
- 10-40.60.280 Quarrying Operations
- 10-40.60.290 Research and Development Uses
- 10-40.60.300 Secondary Single-Family Dwelling
- 10-40.60.310 Telecommunication Facilities
- 10-40.60.320 Warehousing

**10-40.60.140 Community Garden****A. General**

Community gardens shall consist of land used for the cultivation of fruits, vegetables, plants, flowers or herbs by multiple users. The land shall be served by a water supply sufficient to support the cultivation practices used on the site.

Community gardens are allowed on rooftops of structures in compliance with the City's Low Impact Development (LID) Manual, Section 4.7 (Vegetated Roofs).

**B. Community gardens are subject to the following regulations:**

1. Community gardens shall have a set of operating rules addressing the governance structure of the garden, hours of operation, maintenance, and security requirements and responsibilities. A garden coordinator shall be designated to perform the coordinating role for the management of the community gardens. The garden coordinator shall be responsible for assigning garden plots in a fair and impartial manner according to the operating rules established for that garden. The name and telephone number of the garden coordinator and a copy of the operating rules shall be kept on file with the Public Works Division and posted on site.
2. The site is designed and maintained so that water and fertilizer will not drain onto adjacent property.
3. There shall be no retail sales on site, except for produce grown on the site.
4. No building or structures shall be permitted on the site, with the exception of the following:
  - a. Sheds for storage of tools limited in size to 120 square feet;
  - b. Greenhouses, limited in size to 120 square feet and designed in compliance with setbacks for accessory structures, consisting of buildings made of glass, plastic or fiberglass in which plants are cultivated; and,
  - c. Other small hardscape areas and amenities (such as benches, bike racks, raised/accessible planting beds, compost or waste bins, picnic tables, seasonal farm stands, fences, garden art, rain barrels, and children's play areas).
5. The combined area of all structures shall not exceed 15 percent of the community garden site area.
6. Fences shall be in compliance with Division 10-50.50 (Fences and Screening).

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**Day Care Home and Center**

7. Onsite storm water systems and irrigation shall be consistent with the *Stormwater Regulations*.

**C. Maintenance Required**

Maintenance of community gardens shall be in compliance with Section 10-50.60.080 (Maintenance).

**D. Abandoned or Unproductive Community Gardens**

If a community garden is left in an unproductive state for longer than a period of 12 months, the garden coordinator or other individual(s) responsible for the community garden shall ensure that it is replaced with landscaping in compliance with Division 10-50.60 (Landscaping Standards) or seeded in accordance with Title 17 of the *Engineering Standards*.

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**10-40.60.150 Day Care Home and Center****A. Day Care Home**

1. No more than one full-time person not residing on the premises may be employed in the home day care use.
2. The home day care shall be conducted in a manner that does not create adverse impacts on the residential character of the neighborhood.
3. During the hours of activity of the day care use, there is no limit on the amount of floor area devoted to this secondary use.
4. Outdoor activities and equipment associated with the home day care are permitted and must be screened by a minimum five-foot high fence or wall.
5. The hours of operation shall not create adverse impacts on adjoining properties.

**B. Day Care Center**

1. Day care center facilities shall comply with all applicable State and fire codes, including Arizona Revised Statutes.
2. Day care center on-site exterior lighting shall be consistent with Division 10-50.70 (Outdoor Lighting Standards).
3. A six-foot high solid fence or wall shall be constructed on all property lines or around the outdoor activity areas of day care centers, except in the front setback or within a traffic safety visibility area, in compliance with Division 10-50.50 (Fences and Screening).
4. All day care center facilities shall have public access.