

**ORDINANCE NO. O2016.40**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, AMENDING THE CITY OF TEMPE ZONING AND DEVELOPMENT CODE, PART 3 — LAND USE, CHAPTER 4, SECTION 3-401, ACCESSORY BUILDINGS, USES AND STRUCTURES

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NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, as follows:

Section 1. That Section 3-401 of the Zoning and Development Code, pertaining to Accessory Buildings, Uses and Structures, is hereby amended by adding a new Subsection E, to read as follows:

**E. Neighborhood Libraries.**

1. Neighborhood libraries. Neighborhood libraries, which are gathering places where neighbors share their favorite literature and stories, are considered an accessory structure.
2. Neighborhood libraries are permitted to be placed, with the landowner's permission, on single-family residential lots, multi-family residential lots, church properties, public or private school properties, and on City properties with the authorization of the Community Development Director or designee. Neighborhood libraries are not permitted in public right-of-way.
3. Neighborhood libraries are accessory use to the property and shall conform to all of the following:
  - a. The neighborhood library shall not be located between the street and the public sidewalk.
  - b. The neighborhood library shall not obstruct vehicular, bicycle or pedestrian traffic, either physically or by a person utilizing the neighborhood library.
  - c. The neighborhood library shall not obstruct access isles or paths utilized by persons in wheelchairs or for ADA accessibility.

- d. On residential property, the neighborhood library must be placed in the front yard between the face of the building and the right-of-way.
- e. The neighborhood library shall be designed to hold books. The overall structure shall be limited to a height not to exceed sixty-six (66) inches; a width not to exceed thirty (30) inches; a depth not to exceed eighteen (18) inches; and the box height shall not exceed thirty (30) inches.
- f. The neighborhood library shall be anchored to the ground or securely attached to something having a permanent location on the ground.
- g. There shall be a limit of one (1) neighborhood library per residential property.
- h. A neighborhood library meeting the above conditions will not be subject to any permits or special licensing requirements.

SECTION 2. Pursuant to City Charter, Section 2.12, ordinances are effective thirty (30) days after adoption

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA,  
THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016.

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Mark W. Mitchell, Mayor

ATTEST:

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Brigitta M. Kuiper, City Clerk

APPROVED AS TO FORM:

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Judith R. Baumann, City Attorney