

## Exhibit A

### Mixed Use Educational (MU-Ed) Zoning.

Only properties owned by a *public university* may utilize the MU-Ed zoning district and the Joint Review Committee processing. In the event MU-Ed zoned land ownership is transferred by the *public university* to another entity that is not a *public university*, either the *public university* or the new entity shall apply to the city for the appropriate zoning classification. In no event shall the MU-Ed criteria, standards, or process be available to an entity other than a public university. However, if MU-Ed zoned land is leased to an entity that is not a Public university, Improvements on such land shall be subject to the MU-Ed Zoning District regulations and process.

See Attached Tables from the City of Tempe Zoning Ordinance relating to permitted uses and restrictions.

**3-200 Permitted Uses in Commercial and Mixed-Use Districts**

<b>Table 3-202B – Permitted Land Uses (MU-1, MU-2, MU-3, MU-4 and MU-Ed)</b>					
Uses	Districts				
	MU-1	MU-2	MU-3	MU-4	MU-Ed
Accessory Use	P	P	P	P	P
Amateur Radio Antennas [Section 3-422]					
35 feet in height or less	S	S	S	S	S
Over 35 feet in height	U(S)	U(S)	U(S)	U(S)	U(S)
Bed and Breakfast [Section 3-405]	U(S)	U(S)	U(S)	U(S)	U(S)
Brewery, ancillary to a bar (a)	P	P	P	P	U
Card room (a) [See Section 6-313]	S	S	S	S	S
Childcare, In-Home					
Not to exceed 6 children [Section 3-407]	S	S	S	S	U(S)
7 to 10 children [Section 3-407]	U(S)	U(S)	U(S)	U(S)	U(S)
Childcare Centers: Nursery Schools, Day Care Centers, similar	P	P	P	P	P
Clinic (medical, dental, veterinary (small animals))	P	P	P	P	U
Plasma donation center	U	U	U	U	U
Clubs					
Bar, tavern, nightclub (a)	U	U	U	P	U
Lodges & similar organization (a)	U	P	P	P	U
Teen nightclub (dance hall) (a)	N	N	U	P	U
Community gardens [Section 3-427]	U(S)	U(S)	U(S)	U(S)	U(S)
Conference/Assembly (Convention Center)	P	P	P	P	P
Construction Offices and Sheds, Appurtenant Signs and Storage; Temporary – incidental to a construction project only for the duration of such project, not to exceed 24 months	P	P	P	P	P
Entertainment	U	U	P	P	P
Amusement businesses (arcade) (a)	N	U	U	P	P
Outdoor/permanent use	N	N	N	N	P
Theater or similar use	U	U	U	P	P
Fitness Centers: e.g. Health Club, Fitness Studio	P	P	P	P	P
Hospitals, Sanitariums, and Nursing Homes: e.g. Orphanages, Institutions [Section 3-413]	N	N	U(S)	U(S)	U(S)
Hotels and Motels (a)	N	U	P	P	P

**Key:**

P = Permitted

S = Permitted with special standards or limitations

U = Use permit required

MU-1 = Low – Medium Density District

MU-2 = Medium Density District

MU-3 = Medium – High Density District

N = Not permitted

MU-4 = High

Density District (previously designated as MG district) MU-Ed = Mixed Use Educational District

(a) = Security plan required. See Section 6-313.

**Table 3-202B – Permitted Land Uses (MU-1, MU-2, MU-3, MU-4 and MU-Ed)**

Uses	Districts				
	MU-1	MU-2	MU-3	MU-4	MU-Ed
Live-Work [Section 3-414]	S	S	S	S	S
Medical Marijuana cultivation [Section 3-426]	N	N	N	N	N
Medical Marijuana dispensary [Section 3-426]	N	N	N	N	N
Mini-Warehouse/Rental Storage Facilities [Section 3-415]	N	N	N	N	N
Offices	P	P	P	P	P
Outdoor Storage of equipment, goods, or materials	N	N	N	N	N
Parking Facilities, Commercial					
Surface	N	N	U	U	P
Structure	N	N	U	U	P
Places of Worship (except tents and other temporary structures or buildings not permitted) including childcare, Sunday school uses which are ancillary to main use	P	P	P	P	P
Childcare center, private school, or charter not ancillary to main use	U	U	U	U	P
Public Uses					
Civic facilities ( e.g., post office, library, city office, customer serving)	P	P	P	P	P
Municipal Facilities (maintenance, repair and storage)	N	N	N	N	P
Open space, parks, similar uses (See also, Schools)	P	P	P	P	P
Recycling centers					
Large	N	N	N	N	N
Small	P	P	P	P	P
Resale Items					
Antiques	U	U	U	U	U
Pawn Shops	N	N	N	N	N
Second Hand Stores	N	N	N	N	U
Residential – of a caretaker or operator employed on the premises	P	P	P	P	P
Residential (all types)	P	P	P	P	P
Restaurants	P	P	P	P	P
Entertainment as accessory use (a)	U	U	U	P	P
Outdoor seating [Section 3-425]	S	S	S	S	S

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MU-1 = Low – Medium Density District

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MU-4 = High Density District (previously designated as MG district)

(a) Security plan required. See Section 6-313.

MU-Ed = Mixed Use Educational

**3-200 Permitted Uses in Commercial and Mixed-Use Districts**

<b>Table 3-202B – Permitted Land Uses (MU-1, MU-2, MU-3, MU-4 and MU-Ed)</b>					
<b>Uses</b>	<b>Districts</b>				
	<b>MU-1</b>	<b>MU-2</b>	<b>MU-3</b>	<b>MU-4</b>	<b>MU-Ed</b>
With drive-in or drive-through [Section 3-408]	N	N	U(S)	S	U(S)
With liquor license (a)	P	P	P	P	P
<b>Retail Sales [See Appendix M.]</b>	P	P	P P	P	P U
Convenience Store (a)	P	P	U(S)	P	U(S)
Drive-through [Section 3-408]	N	N	N	S	U
Gas/fuel sales (a)	N	N	U U	N	U
Gun shop	U	U	U(S)	U	U
Liquor store	U	U	U	U	S
Outdoor retailing [Section 3-417]	U(S)	U(S)	U(S)	U(S)	U
Tire store	U	U		U	U(S)
Tobacco retailer [Section 3-423]	U(S)	U(S)		U(S)	
<b>Schools Charter</b>					
Instructional	P	P	P	P	P
Private	U	U	U	U	P
Public	U	U	U	U	P
Vocational	P	P	P	P	P
	U	U	U	U	P
<b>Services [See Appendix M.]</b>	P	P	P	P	P
Auto title loan [Section 3-423]	U(S)	U(S)	U(S)	U(S)	U(S)
Barber/Beauty Salon	P	P	P	P	U
Employment agency	U P	U P	U P	U P	U P
Financial institutions (without drive through)	U(S)	U(S)	U(S)	U(S)	U(S)
Financial institutions, non-chartered [Section 3-423]	U	U	U	U	U
Massage establishment	U	U	U	U	U
Mortuary	P	P	P	P	P
Personal or business (e.g. drycleaner, small appliance repair)	P	P	P	P	P
Photography Studio, except adult-oriented businesses	N	N	N	N	U
Vehicle base service (courier, delivery service, taxi and ambulance dispatch)	N	N	U(S)	U(S)	N
Tattoo, body piercing establishment [Section 3-424]	P	P	P	P	P
Tutoring/After school learning center	N	S	S	S	U(S)
With drive through (e.g. dry cleaner) [Section 3-408]					
<b>Similar Uses [Section 6-301]</b>	S	S	S	S	S
<b>Wireless Telecommunication Facilities [Section 3-421]</b>	U(S)	U(S)	U(S)	U(S)	U(S)

**Table 4-203B – Development Standards in Mixed-Use Districts**

Standard	MU-1 (1)	MU-2 (1)	MU-3 (1)	MU-4 (1) (2)	MU-Ed	Use Permit Standard
Residential Density (DU/acre)	10	15	25	NS	NS	NA
Building Height (feet) [Exceptions, see Section 4-205(A)]	35 ft	40 ft	50 ft			
Building Height Maximum	Yes	Yes	Yes	NS	NS	20%
Building Height Step-Back Required Adjacent to SF or MF District [Section 4-404, Building Height Step-Back]				Yes	(3)	NA
Maximum Lot Coverage (% of net site area)	NS	NS	NS	NS	NS	NA
Minimum Landscape Area (% of net site area)	NS	NS	NS	NS	NS	NA
Setbacks (feet) (a) [Exceptions, see Section 4-205(B)]	NS 20 ft	NS 20 ft	NS 20 ft	NS 20 ft	NS 20 ft	
Front						
Building Wall	NS	NS	NS	NS	NS	NA
Parking						
Side						
Building Wall	NS 20 ft	NS 20 ft	NS 20 ft	NS 20 ft	NS 20 ft	NA
Street Side						
Building Wall	NS	NS	NS	NS	NS	NA
Parking						
Rear						NA
Building Wall						

NS= No Standard. NA = Not Applicable.

(1) Requires PAD Overlay with initial zoning.

(2) MU-4 district formerly known as MG district.

(3) Development and uses other than *Public University uses* or *Public University related uses* that are adjacent to or separated by an alley from a *residential use* shall not exceed thirty (30) feet in height.

(a) See also, Section 3-401 for *setbacks* applying to *accessory structures* and *buildings*.