

ORDINANCE NO. 26-02

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE
TOWN OF FOUNTAIN HILLS, ARIZONA, AMENDING THE
FOUNTAIN HILLS ZONING ORDINANCE CHAPTER 27,
DOWNTOWN OVERLAY DISTRICT TO AMEND THE ALLOWED
DENSITY IN THE AVENUE AND BUSINESS DISTRICTS**

ENACTMENTS:

NOW THEREFORE BE IT ORDAINED BY THE MAYOR AND TOWN COUNCIL OF FOUNTAIN HILLS, ARIZONA, as follows:

SECTION 1. That Chapter 27, Downtown Overlay District, Sections 27.02 A and B of the Fountain Hills Zoning Ordinance is amended as provided in Exhibit A attached hereto.

PASSED AND ADOPTED by the Mayor and Council of the Fountain Hills, Maricopa County, Arizona, this 21th day of April, 2026.

FOR THE TOWN OF FOUNTAIN HILLS:

ATTESTED TO:

Gerry M. Friedel, Mayor

Bevelyn Bender, Town Clerk

REVIEWED BY:

APPROVED AS TO FORM:

Rachael Goodwin, Town Manager

Jennifer J. Wright, Town Attorney

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Exhibit A

Section 27.02 Permitted Uses

Uses permitted in the Downtown Overlay District shall be:

A. *The Avenue District.*

1. Permitted uses:

...

d. Multifamily residential up to thirty-five (35) units per acre above the ground floor per lot, provided the average density for a total block does not exceed 15 units per acre.

2. Uses permitted by special use permit shall be residential above the ground floor at a density more than thirty-five (35) units per acre per lot, provided the average density for a total block does not exceed 15 units per acre.

B. *The Business District.*

1. Those uses permitted in Zoning Ordinance Sections 12.02(A), (B), and (C).

...

b. Multifamily residential up to thirty-five (35) units per acre above the ground floor per lot, provided the average density for a total block does not exceed 15 units per acre.

2. Uses permitted by special use permit shall be residential uses on the ground floor or at a density more than thirty-five (35) units per acre per lot, provided the average density for a total block does not exceed 15 units per acre.

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