

# Meeting Minutes

## City Council Work Session

April 24, 2023 | 4:00 p.m.  
Council Chambers Conference Room  
88 E. Chicago St., Chandler, AZ



### Call to Order

The meeting was called to order by Mayor Kevin Hartke at 4:02 p.m.

### Roll Call

#### Council Attendance

Mayor Kevin Hartke  
\*Vice Mayor Matt Orlando  
Councilmember OD Harris  
Councilmember Mark Stewart  
Councilmember Christine Ellis  
Councilmember Jane Poston  
Councilmember Angel Encinas

#### Appointee Attendance

Josh Wright, City Manager  
Kelly Schwab, City Attorney  
Dana DeLong, City Clerk

\*Vice Mayor Orlando attended telephonically and arrived at 4:21 p.m.

#### Staff in Attendance

Dawn Lang, Deputy City Manager and Chief Financial Officer  
Tadd Wille, Assistant City Manager  
Andy Bass, Deputy City Manager  
Matt Burdick, Communications and Public Affairs Director  
Micah Miranda, Economic Development Director  
David De La Torre, Planning Manager  
Kevin Mayo, Planning Administrator  
Ryan Peters, Strategic Initiatives Director  
Derek Horn, Development Services Director  
Melissa Quillard, Mayor and Council Communications Manager  
Simone Kjolsrud, Water Resources Manager  
Dana Alvidrez, City Transportation Engineer  
Lauren Schumann, Principal Planner

## Discussion

1. Presentation and Discussion regarding proposed changes to Chapter 35, Land Use and Zoning, of the Chandler City Code. The proposed changes include but are not limited to regulations regarding the following: setback requirements along major intersections; free-standing pad building limitations; drive-through businesses; height increase for mid-rise overlay; mechanical screening requirements; increase to blade sign allowable projection and sign area; medical office parking; use permits; outdoor speakers; eliminate requirement for Series 7 Bar license use permit; move approval of Certificate of Occupancy from Building Official to Development Services Director (or designee); permit single-family dwellings in multi-family zoned districts; alleyway access to parcels in downtown; residential on-site paving; allowing accessory dwelling units within single-family zoned districts; home-based businesses; setbacks for residential swimming pools; maximum square footage of residential open air ramadas; perimeter wall for new developments abutting existing residential areas; prohibition on double-walls; holiday lights encroachment permits; neighborhood vote for conversion of alley to curbside garbage collection; multi-family parking requirements; art murals; water conservation for landscaping; reclaimed water; shipping-container building construction; street name address protocols; and remove satellite dish regulations to align with federal law.

MAYOR HARTKE called for a staff presentation.

JOSHUA WRIGHT, City Manager, introduced the discussion item.

MICAH MIRANDA, Economic Development Director, said Chandler is experiencing development cycle changes and staff has been compiling the best solutions to respond, focusing on economic development.

LAUREN SCHUMANN, Principal Planner, presented the following presentation.

- City Code Amendments
  - Development Services
- Background
  - July 2020
    - Amendments Phase 1
      - Council Approval
  - Feb. 2021
    - Amendments Phase 2
      - Beginning Process-
        - Subcommittee Meeting
  - April 2022
    - City Council Work Session

- Long Term Deliverables
- Meeting Intent
  - Identify Code/Policy Issues
  - Introduce Amendment Options
  - Seek City Council Input
    - Potential Code Amendments Address:
      - Economic Vitality
      - Neighborhoods
      - Quality of Life
      - Sustainability & Technology
- Strategic Policy & Focus Areas
  - Economic Vitality
    - Targeted use of adaptive reuse, infill, mixed-use and redevelopment tools and plans supporting the vitality of commercial centers and neighborhoods.
    - High development standards incorporating innovative aesthetics and amenities in our built environment.
    - A predictable development process based on exceptional customer service and finding creative ways to get to “yes.”
  - Neighborhoods
    - Amenities, infrastructure, and services that support community safety and align with the needs of people in the surrounding neighborhood.
  - Quality of Life
    - Unique amenities and experiences that attract people to Chandler.
  - Sustainability and Technology
    - Leading in the sustainability of water infrastructure and conservation.
- Economic Vitality
  - Potential Code Changes
- Modified Required Setbacks within Certain Areas
  - Challenge:
    - Required building and landscaping setbacks accommodate large suburban site development
  - Current:
    - 50' (arterial) 30' (non-arterial) setbacks
    - 50' x 250' landscaping at intersections
  - Proposal:
    - Create administrative ability to reduce on certain sites when development proposes a high quality of design
- Modified Required Setbacks within Certain Areas
  - Current:
    - Building and landscaping setbacks accommodate large suburban site development
      - 50' (arterial) 30' (non-arterial) setbacks

- 50' x 250' landscaping at intersections
- Proposal:
  - Create administrative ability to reduce on certain sites where developer proposes a heightened pedestrian-oriented design

COUNCILMEMBER STEWART asked if setback requirements are taking density into consideration. Neighborhoods will be concerned about aesthetics of their homes and having developments pushed up next to their houses. Councilmember Stewart asked if suggestions will be broken down by region.

MS. SCHUMANN said these suggestions are still in the early stages of being researched. These changes would be in alignment with neighboring jurisdictions. Seven years ago, an adaptive reuse program was approved for existing buildings. This program has made it possible to adapt requirements for different situations and has proven successful.

MR. MIRANDA said the interactions between retail and neighborhoods is always staff's biggest concern. The goal is to align commercial and bring it forward to create as much distance as possible from neighborhoods.

MAYOR HARTKE asked if reduction of required setback is not between residential and business buildings and this proposal is to introduce the adaptive reuse program for new buildings in addition to existing buildings.

MS. SCHUMANN said correct, reduction of setback is for development out on to the street. Allowing the development to move forward more towards the street instead of closer to the homes.

COUNCILMEMBER HARRIS asked if Chandler's zoning code addresses the use of awnings and required space.

MS. SCHUMANN said there are restaurants waiting to amend their set back requirement. Additional awning space is required to take orders outside but because it does not meet the 50' setback requirement, they have to come back through and go through a zoning process.

COUNCILMEMBER HARRIS asked how does the 50' setback rule apply to the awning.

MS. SCHUMANN said there are multiple types of setback requirements but generally with any type of structure, the structure is required to be 50' back.

COUNCILMEMBER HARRIS asked if there was a way to change requirements for awnings instead of treating them like building structures.

MS. SCHUMANN answered yes and said that also goes in line with adapting requirements so a building could have space for a patio.

COUNCILMEMBER HARRIS confirmed that building structures be differentiated from awnings.

MR. MIRANDA said that is understood and clarified the 50' setback is from the right of way to where the property begins and staff cannot change that, it has to be brought back as a zoning change. There are several scenarios that are being taken into consideration with suggested changes and the code language would allow for more flexibility.

MAYOR HARTKE said the purpose of this meeting is to hear proposals for code amendments that will improve process, function, and best serve all parties involved.

COUNCILMEMBER ENCINAS asked if these setback requirements would be considered on a case-by-case basis and if the buildings come further forward will that still allow them to use the space behind that is next to neighborhoods.

MS. SCHUMANN said it would be case by case. If they can better position the buildings, it will allow for more landscaping. When it is near a neighborhood they want to allow for more trees for buffering.

MAYOR HARTKE said the reduction of setback requirements does not allow the development to have a denser design, it allows for more landscape.

MS. SCHUMANN said correct.

COUNCILMEMBER ELLIS asked if setback requirements are taking future road expansion into consideration.

MS. SCHUMANN said yes, the plan for right of ways is set and that is factored into the proposals.

COUNCILMEMBER POSTON asked if the area north of the 202 is being focused on because of opportunity for development.

MS. SCHUMANN said the areas indicated are older and there is going to be redevelopment. This is where the reduction of setbacks will make the most impact. South of the 202 is going to remain more suburban.

MS. SCHUMANN continued the presentation.

- Modify Requirements for Free-standing pad Buildings
  - Challenge:

- Market driven towards smaller building footprints and more drive-through developments
- Current:
  - One free-standing pad per arterial street; allowing two per development
- Proposal:
  - Eliminate maximum total number of pads if designed as integral part of the development
- Modify Requirements for Drive Throughs
  - Current:
    - Queuing lanes shall provide 150 feet from pick-up window to start of queue & provide minimum six vehicles from order box
  - Challenge:
    - Two lanes used to meet queuing requirements, but close one lane at certain times
  - Proposal:
    - One lane shall meet minimum queuing & additional lanes are considered bonus queuing
- Modify Requirements for Drive Throughs
  - Challenge:
    - Businesses providing separate lane for online pick-up orders not meeting standard queue length
  - Current:
    - Queuing lanes shall provide 150 feet from pick-up window to start of queue & provide minimum six vehicles from order box
  - Proposal:
    - Establish minimum queuing for online pick-up lanes

COUNCILMEMBER POSTON asked if information has been gathered from businesses and if the one lane minimum queuing would create any staffing issues.

MR. MIRANDA said the second lane is not required it would be a bonus lane should the business want it.

KEVIN MAYO, Planning Administrator said currently businesses are using only one lane, but they have split the 150' between two drive through lanes. 75' for one drive through and 75' for the other. This causes overflow and crowds the parking lot. This proposed change would require the one lane to be 150' and then a bonus lane should they want it.

COUNCILMEMBER STEWART asked how many issues may come up when working with private businesses and expressed concern about overstepping. Councilmember Stewart said this should be handled on a case-by-case basis.

MR. MIRANDA shared an example of a county project that does not have enough queuing and is spilling out into the street. There just is not enough space on site to handle the volume, and the 150' will add clarity to the process. If more space is wanted it needs to be codified.

COUNCILMEMBER STEWART asked the vehicle backlog issue is something that could have been prevented.

MR. MIRANDA said there is a high demand for these type of drive through businesses and it is not an error on anyone's part, but a better process needs to be in place for ensuring there is enough space for queuing.

VICE MAYOR ORLANDO asked if the requirements for free-standing pad buildings is increasing from one pad to two allowed pads.

MS. SCHUMANN said currently the written code allows for two free-standing pads per building. Markets have changed and buildings want only one pad and to not be attached to another building. Through planning it can be waived or through the zoning and planning department which would need to be warranted by design. This proposal is to eliminate that process and if it is designed as an integral part of the development, they could have up to four pads.

VICE MAYOR ORLANDO expressed concern if the allowance for more pads would cause congestion or crowding in areas.

MS. SCHUMANN said the multiple pads would be for one development and typically not all used as drive throughs. It would allow more space for the one establishment.

VICE MAYOR ORLANDO asked what the main goal of this proposal is and asked if this will cause a loss of leverage when negotiating with developers.

MR. MIRANDA said it comes down to the proposal to eliminate the maximum, but it has to be designed as an integral part of the development. During planning, staff will work with the developer to ensure it is in line with Chandler's goals. It gives the most flexibility to allow staff to work with a given project.

VICE MAYOR ORLANDO said negotiations could go the other way as well and is worried about giving up Chandler's rights to negotiate.

MAYOR HARTKE said the concern is valid, but the main goal is to maintain that right and speed up the process for development across the city. Removing some of these hard stops in the process will help meet the demand and be able to focus on the few areas that are left. There is a fine balance between negotiating, some things do not make sense and are creating more of a cost.

VICE MAYOR ORLANDO said the specific language of the code needs to be provided and the area could be adjusted to what the priority is.

MR. MIRANDA said if this is something that council wants staff to explore, that can be done. Staff can come back with more specific language and if council does not approve, it can be jettisoned.

VICE MAYOR ORLANDO said developers need certainty and there needs to be a negotiating line.

MR. MAYO said setbacks are code required and those must go back to council to be approved. The negotiation is going to happen regardless between developers and staff, this would eliminate the need to have to go to council to be approved in every situation. This is to find a way to streamline the process and have minimums in place. Especially in situations where the outcome will ultimately be the same, but the timeline is dragged out because of the current process. The language would craft a path administratively. Nothing would be codified in a way that would have a different or undesired outcome but mainly to streamline a process that currently takes too long.

VICE MAYOR ORLANDO asked if it is the same process as what is currently happening, why is it being changed.

MR. MAYO said a public hearing process is required through council and administration does not have the ability to make some of these modifications.

VICE MAYOR ORLANDO said this is allowing more flexibility to staff but ultimately when it comes back to council it will start the negotiation over. Vice Mayor Orlando said there is concern about some of these proposals and asked for specific language.

MAYOR HARTKE said leverage is not being lost but the starting process will be a little different and ultimately is still decided by council.

COUNCILMEMBER ELLIS said the goal of this discussion is to empower staff to streamline processes and have them handle things within the guidelines set by council.

VICE MAYOR ORLANDO said that is already being done.

COUNCILMEMBER ELLIS said it is not being streamlined if there is a six-month process currently.

MAYOR HARTKE said if council wants staff to revisit a proposed code change, a consensus will be made to pause on a suggestion; otherwise, continue with the presentation and see how many can be heard.

COUNCILMEMBER STEWART asked if feedback can be gathered individually from each council member and then compiled on each of these suggestions. Councilmember Stewart said if these



code changes will eliminate the back and forth between zoning attorneys, staff, and council by empowering staff to make some of these decisions then that would be great.

MAYOR HARTKE said that would be the optimal outcome and this is just the beginning of these discussions.

COUNCILMEMBER HARRIS expressed concern about ensuring that property owner's rights are not being encroached.

MAYOR HARTKE said these decisions are made all the time. The code is not being changed it is only being improved upon.

MS. SCHUMANN continued the presentation.

- Increase Height for Mid-Rise Overlay (MRO)
  - Current:
    - Buildings over 45 feet tall need a MRO
  - Challenge:
    - MRO was intended to regulate buildings 5-stories in height or taller
    - Proposed floor heights & mechanical screening push 3 and 4 story buildings just over the 45 feet threshold
  - Proposal:
    - Increase MRO Height to 55 feet
- Mechanical Screening
  - Challenge:
    - Developers claim we're "more restrictive than other cities"
  - Current:
    - Roof-mounted mechanical equipment must be completely screened on all four sides and architecturally integrated into building design
  - Proposal:
    - Consider reducing screening to only street view within industrial
    - Reduce requirement if equipment is located as to not be visible, i.e. 8-story building or center of roof

MAYOR HARTKE asked if there is a dampening effect when applying screening to industrial or is this just visual.

MS. SCHUMANN said this is strictly visual. Methods are required to disguise piping or air conditioners.

COUNCILMEMBER STEWART asked if Chandler is aligned with other cities on this code.

MS. SCHUMANN said this is an ongoing struggle with developers and it is usually for air conditioners. A new user will come in later and require an air conditioner unit and the whole screening process starts over. The code calls for complete screening, top to bottom, from all views.

COUNCILMEMBER STEWART asked if this code were amended would it still allow for screening.

MS. SCHUMANN said yes and that recently new coding was already approved for screening specific users requiring different types of machinery that could be problematic.

VICE MAYOR ORLANDO asked if the change is an additional 10 feet.

MS. SCHUMANN said for mid-rise overlay the current height requirement is 45' but most industrial buildings are coming in right at 45' and it is only allowing 4' for screening. Increasing this to 55' will allow for builders to have a higher parapet wall to allow 8' for screening.

VICE MAYOR ORLANDO asked what if the equipment is placed on the ground.

MS. SCHUMANN said development usually does have equipment on the ground and generally it is painted to match the building and screening is used through landscaping and or other disguises. The struggle is roof development because code is too demanding for required screening.

VICE MAYOR ORLANDO asked if this is just from street view.

MS. SCHUMANN said if you have a large industrial development with multiple buildings and one of those buildings is far back, does it really need to be screened.

VICE MAYOR ORLANDO asked what happens if it is next to neighborhoods.

MS. SCHUMANN said that is a good point, but this code was mainly for a certain area of high industrial developments.

VICE MAYOR ORLANDO said to put a caveat in the language that if machinery can be seen by residential neighborhoods it needs to be screened as well.

MS. SCHUMANN said noted.

COUNCILMEMBER STEWART asked what the cost of screening is for developers.

MR. MAYO said what started this conversation was older high industrial buildings in West Chandler. Those buildings were originally built with swamp coolers and about an 18-inch parapet. A lot of those buildings are switching over to air conditioning and the original roofs were not designed to be able to carry the air conditioning unit and additional mechanical screening. It has

made it very difficult for staff to work with the building users. The question that is asked is why if the building is buried deep within an industrial area does it matter and currently it is because that is what is written in the code.

COUNCILMEMBER STEWART asked is there a way to determine if a building is grandfathered in and is this code amendment for new buildings or older buildings and a code cannot be retroactively applied to buildings that were built before that code was made.

MR. MAYO said a unit can be replaced by a unit by policy but the problem that arose recently is a building that had four swamp coolers and replaced that with 22 air conditioning units which changed the structure significantly. This instance is where the code kicks in.

MS. SCHUMANN continued the presentation.

- Enlarge Permitted Blade Sign Area
  - Current:
    - Blade signs permitted to project two feet from a building as measured to edge of sign; four feet within City Center District
  - Proposal:
    - Increase allowable projection and sign area, to be visible by drivers above colonnade
    - The Uncommon built at ten feet

VICE MAYOR ORLANDO asked how far out the sign can be.

MS. SCHUMANN said currently it is allowed at two feet and downtown it can be off the wall up to four feet. Research needs to be done to see if there should be a greater allowance.

VICE MAYOR ORLANDO said there is concern about huge signs and it being a distraction.

MS. SCHUMANN said the discussion is about how far the sign can be hanging off a building. It still must meet the requirements of allowed square footage.

COUNCILMEMBER ENCINAS asked if there are proposed maximums or is that still being researched and is it dependent on the area.

MS. SCHUMANN said research and comparison needs to be done.

COUNCILMEMBER ENCINAS said maximums need to be provided.

MAYOR HARTKE asked staff to come back with more information.

MR. MIRANDA said there are different types of buildings that have different requirements for signage.

MS. SCHUMANN continued the presentation.

- Medical Parking Requirements
  - Challenge:
    - Medical parking requirements too broad
  - Current:
    - Zoning Code requires one space per 150 square feet for medical office;
    - Hospitals 3 spaces per each bed
  - Proposal:
    - Consider defining outpatient surgery facilities and establishing required parking
- Revise Uses Permitted in Non-residential Properties
  - Current:
    - Zoning Code is silent on relevant uses and not intuitive to navigate
  - Proposal:
    - Reorganize table to group common uses
    - Add relevant uses such as brewery, cloud kitchens, & adult day center
    - Permit greater amount of ancillary uses such as office or showroom within industrial
- Use Permit Renewal, Enforcement
  - Current:
    - Not addressed by Zoning Code
  - Proposal:
    - Clarify when an application is filed and under the review process, enforcement may be stalled

MAYOR HARTKE asked for an example of enforcement being stalled.

MS. SCHUMANN said if a business received a citation from code enforcement for providing live entertainment without a permit, the citation could be put on hold by applying for that permit. This would allow time for the application to be reviewed.

MAYOR HARTKE asked for clarification.

MS. SCHUMANN said when a business receives a citation, they are allowed so many days to come into compliance. This way it allows the citation to be put on pause while the establishments application is being reviewed.

MS. SCHUMANN continued the following presentation.

- Outdoor Speakers

- Current:
  - Businesses that sell alcohol without live music require an Entertainment Use Permit (EUP) for outdoor speakers within 600 feet of residential
- Proposal:
  - Where no live music is proposed, allow outdoor speakers without an EUP
  - City code will continue to mitigate nuisance

COUNCILMEMBER STEWART asked if this is removing a regulation.

MS. SCHUMANN said it would be easier for new businesses who wanted to apply for a liquor license and then wanted speakers on their patio, they would not then have to apply for an Entertainment Use Permit; avoiding that whole process can save up to four months.

VICE MAYOR ORLANDO asked what happens when loud music becomes a nuisance.

MAYOR HARTKE said the city still can review that and shut it down.

VICE MAYOR ORLANDO asked if there would still be a permit.

MAYOR HARTKE said no but it can still be addressed.

VICE MAYOR ORLANDO asked what can be referred to if it is not written in the code and a permit is not required.

KELLY SCHWAB, City Attorney, said that can be addressed in the language of the code, there can be fines and they can give an order to stop.

VICE MAYOR ORLANDO said this has been an issue before and the experience before was nothing could be done. The permit is a sure way to control that.

COUNCILMEMBER POSTON asked what the current process is if a business does not sell alcohol.

MS. SCHUMANN said if a business had a patio, was not selling alcohol, and wanted a speaker, they would not need a permit.

COUNCILMEMBER STEWART said this is about expediting a process to help businesses open their doors sooner and if noise became an issue that can be addressed via other means.

MAYOR HARTKE asked staff to return with more details on how it would be addressed if no permit is required.

MS. SCHUMANN continued the presentation.

- Establishments Operating Under a Bar License
  - Current:
    - All establishments operating under a bar license require a Use Permit; Issued by the state and reviewed by Tax & License
    - Series 7 Beer & Wine Bar License
    - Series 6 Bar License
  - Challenge:
    - Delays business' opening
  - Proposal:
    - Eliminate requirement for Use Permit for Series 7 Bar license

MAYOR HARTKE said it is still required by state to apply for this license it just removes the time constraint by the city for the Series 7 license.

MS. SCHUMANN said yes, when a business applies for a liquor license it is sent to Tax and License, which is then vetted by the police and then Chandler submits it to the state.

COUNCILMEMBER POSTON asked if the state issues liquor licenses and what part does Chandler have in that.

MS. SCHUMANN said in the early 1970's Chandler required any business that sold alcohol to have a liquor use permit. The state issues liquor licenses so the city was acting on something that the city could not regulate. The liquor use permit was eliminated in 2018 because what was being gauged by that was what was the land being used for. That is covered by the entertainment use permit.

MS. SCHUMANN continued the presentation.

- Quality of Life and Neighborhoods Potential Code Changes
  - Permit Single-Family in Multi-family Districts
    - Current:
      - Single-family dwellings within a multi-family zoned property requires a Use Permit
    - Challenge:
      - Legal non-conforming lots cannot rebuild a single-family home without a Use Permit or Rezoning
    - Proposal:
      - Permit single-family dwellings by right within certain multi-family zoned properties; limited to lots of a certain square footage
- Allow Residential Access from Alleys
  - Current:
    - Prohibits primary driveway and pedestrian access from alleys

- \*Alleys need to accommodate other requirements such as public/private utilities, lighting, drainage, ADA accessibility, etc
- Challenge:
  - Site layout and conflicts with architectural aesthetics, safety, and walkability
- Allow Residential Access from Alleys
  - Proposal:
    - Allow access from alleys where safe and consider improving alleys when feasible in certain areas around Downtown
  - Location:
    - Where alleys exist within area bound by:
      - Galveston Street (North)
      - Delaware Street (East)
      - Frye Road (South)
      - Hartford Street (West)

MAYOR HARTKE asked to include alleys even more south of Frye.

MS. SCHUMANN said it will include alleys all the way down to Pecos.

VICE MAYOR ORLANDO asked for specific boundaries on alleyways and expressed concerns for safety. Vice Mayor Orlando asked if the alleyways would be lighted.

MS. SCHUMANN said the specific requirements are still in progress, but preferred enhancements would include paving and lighting.

COUNCILMEMBER STEWART asked if the community has requested the alleyway upgrade and what is the estimated cost for the city.

MS. SCHUMANN answered that public outreach will be part of the process and feedback has been received over the years that residents would like access to their alleyways. Ms. Schumann said improvements and who would provide that has yet to be determined.

COUNCILMEMBER ENCINAS asked for more information to be provided after this idea has been researched.

MS. SCHUMANN said this will be explored and staff will come back with information.

COUNCILMEMBER STEWART asked if it was possible to give the alleyways over to the residents to take care of if there were not any utilities involved.

MS. SCHWAB said that is complex legal discussion and if that were truly being considered it would be a discussion for another time.

MAYOR HARTKE said as a reminder this presentation is just for discussion and no decisions are being made at this time.

MS. SCHUMANN continued the presentation.

- Driveways and Front Yards
  - Current:
    - Nothing in the Zoning Code prevents the front yard from being entirely paved
    - All required off-street parking must be connected; additional driveways to access rear yards
  - Proposed:
    - Establish maximum percentage of hardscape within front yards
    - Eliminate requirement for areas to be connected

COUNCILMEMBER STEWART asked if this is telling residents what they can and cannot do with their yard.

MS. SCHUMANN said the impact of paving an entire front yard would affect the whole neighborhood in terms of parking, water runoff and heat.

COUNCILMEMBER STEWART said this could be applicable to new residents, but pre-existing owners should not be impacted.

MS. SCHUMANN said legal non-conforming zones would be included in their research and a database is available with that information.

COUNCILMEMBER ENCINAS asked if a permit is required for paving or laying concrete in the downtown area.

MS. SCHUMANN said that would need to be investigated unless an irrigation drip system is involved or if any street curbing is being adjusted then a permit would not be required.

COUNCILMEMBER ENCINAS asked if this code amendment would require a permit if a resident wanted to do a large-scale landscape remodel.

MS. SCHUMANN said that requires research.

MAYOR HARTKE said there is some pushback on this idea, and it should be put on hold.

MR. MAYO said that because of how the code is currently written it is requiring homeowners to lay continuous pavement to connect driveways to required off street parking. This amendment is in part to address that.



MAYOR HARTKE asked staff to come back with more information on this.

MS. SCHUMANN continued the presentation.

- Permit Accessory Dwelling Units (ADU's) Single-Family District
  - Current:
    - Single-family properties allow for a guest quarters with no cooking unit and cannot be connected to separate meter
  - Proposal:
    - Consider permitting ADU's by right within single-family zoned properties meeting requirements for accessory buildings; setbacks and height

MAYOR HARTKE said this code amendment is allowing cooking units in ADU's.

COUNCILMEMBER STEWART said having these ADU's are going to cause problems with parking and how can that be mitigated.

MS. SCHUMANN said that is a good concern to consider when researching this option.

COUNCILMEMBER ENCINAS asked if a full kitchen unit is allowed currently and would that stay the same with this amendment.

MS. SCHUMANN said currently you can have a full accessory building as guest quarters except for a stove or oven.

COUNCILMEMBER ENCINAS asked if that would stay the same.

MS. SCHUMANN said yes and in addition, this amendment would allow for ADU's within a single-family homily zone property.

COUNCILMEMBER ENCINAS asked how many structures are allowed.

MS. SCHUMANN said a property is allowed so many detached units. One can be an ADU and one a storage shed.

COUNCILMEMBER STEWART asked why not just allow the cooking stove.

MS. SCHUMANN said building code states there are five requirements that make it a dwelling unit. When processing the guest quarters, they said the elimination of a cooking stove or oven made it so it was not considered an ADU.

VICE MAYOR ORLANDO asked what setback requirements apply to ADU's.

MS. SCHUMANN said generally the same setback requirements that apply to the property apply to the accessory buildings.

VICE MAYOR ORLANDO asked if required setbacks for ADU's could be researched compared to other cities and expressed concern about an ADU being used as a rental.

MS. SCHUMANN said they could research this.

MS. SCHUMANN continued the following presentation.

- Home-Based Businesses
  - Current:
    - Zoning Code is silent; by policy permitted if no customers or employees who do not live at home
    - Conducted completely within house
  - Proposal:
    - Consider permitting certain uses with limited number of clients for home-based businesses when not negatively impact the surrounding neighborhood
    - Examples: piano lessons, seamstress

COUNCILMEMBER POSTON asked if another level of licensing would be needed for home businesses or is something currently required.

MR. MAYO said a homebased business license is already required but the list of included business could be expanded.

COUNCILMEMBER ELLIS asked if this applied to assisted living homes.

MS. SCHUMANN said that is under a completely different zoning clearance.

COUNCILMEMBER STEWART asked if this is a current problem or is one going to be created.

MS. SCHUMANN said currently according to code residents cannot use their home for business unless it is all conducted within the house, no customers can visit the house, no employees can live at the residence. Issues that can occur with home businesses that operate without restrictions are increased traffic flow and parking overflow.

COUNCILMEMBER STEWART asked for statistics on homebased business-related issues.

MAYOR HARTKE said this would be allowing for some non-intrusive home businesses to occur.

COUNCILMEMBER STEWART expressed concern for creating rules that would affect home businesses from being able to function effectively.

COUNCILMEMBER HARRIS asked for a list to be provided of all types of home businesses that are currently permitted and which may be permitted.

MAYOR HARTKE said due to time constraints this discussion will be postponed until another time.

## Adjourn

The meeting was adjourned at 5:49 p.m.

ATTEST: *Dana R. D'Long*  
City Clerk

*Kevin Hartke*  
Mayor

Approval Date of Minutes: May 11, 2023

## Certification

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Work Session of the City Council of Chandler, Arizona, held on the 24th day of April 2023. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 11th day of May, 2023.

*Dana R. D'Long*  
City Clerk

