

Meeting Minutes

Planning and Zoning Commission

Work Session Meeting

September 20, 2023 | 2:00 p.m.
City Council Conference Room
88 E. Chicago Street, Chandler, AZ



Call to Order

The meeting was called to order at 2:00 p.m.

Roll Call

Commission Attendance

Chairman Rick Heumann
Vice Chair Sherri Koshiol
Commissioner Erik Morgan
Commissioner Michael Quinn
Commissioner Jeff Velasquez
Commissioner Kyle Barichello
Commissioner Rene Lopez

Staff Attendance

Kevin Mayo, Planning Administrator
David de la Torre, Planning Manager
Lauren Schumann, Principal Planner
Alisa Petterson, Senior Planner
Ben Cereceres, City Planner
Harley Mehlhorn, City Planner
Darsy Olmer, Associate Planner
Mika Liburd, Associate Planner
Tulili Tuitelelapaga-Howard, Junior Planner
Thomas Allen, Assistant City Attorney
Julie San Miguel, Clerk

Discussion

1. City Code Amendments

CHAIRMAN HEUMANN introduced the discussion stated the work session meeting this date this meeting was designed to be an open forum to give feedback on proposed code amendments. He asked everyone in the meeting room to introduce themselves.

All attendees introduced themselves.

CHAIRMAN HEUMANN thanked everyone for introducing themselves and emphasized the importance of thoroughly reviewing the details of the presentation this date. He mentioned that

it is easier to provide feedback before it is set as code as it is difficult to amend at a later date once its formally adopted.

LAUREN SCHUMANN, PRINCIPAL PLANNER expressed gratitude for everyone attending the meeting and pointed out that there has not been this volume of code amendments in quite some time. Typically, they address singular topics like chickens or data centers; however, this meeting presented a broader range of topics. The entire planning team had contributed to this effort, seeking information from various sources to offer the best recommendations. The journey began in August of 2019, when discussions were held between City Council and the Planning and Zoning Commission at a joint meeting regarding ideas for the City's future design and amendments were categorized into short-term and long-term. The short-term amendments were approved by City Council in July 2020. They included expanding notification requirements for neighborhood meeting, signs to be posted on site, changes to storage, and just general code cleanup. Staff began work on the second phase and in April 2023, a Council Work Session was held to review the presentation, but they only got through half of the presentation. Staff received feedback to conduct further research and consult experts. Before the Commission today is a draft for feedback because the Commission are the experts. Staff is seeking guidance and feedback before sending this out to the public for response. Previously this month, the presentation was divided into two parts, Economic Vitality and Neighborhoods; both were presented before the corresponding Council Subcommittees for feedback. Under Economic Vitality, the aim was to address development of infill properties and redevelopment. Furthermore, the aim was also to provide developers with a predictable development process. For neighborhoods, the goal was to ensure a high quality of life for residents and to preserve the cultural fabric of communities.

Code Amendments Economic Vitality

Slide #7 Buildings Constructed of Shipping Containers

LAUREN SCHUMANN, PRINCIPAL PLANNER started with the Economic Vitality section, discussing the potential use of shipping containers as building materials. This amendment change would allow for buildings to use shipping containers if designed creatively and use additional material. This proposal is in response to the rising interest in developments using shipping containers. The City of Phoenix has allowed shipping container developments and Chandler's current city code is silent on the use of shipping containers but prohibits metal buildings to be used from arterial roads or even seen from an arterial road. The proposed a code amendment would allow the use of shipping containers used as a building material, if designed creatively and using other materials.

CHAIRMAN HEUMANN asked about the definitions and their consistency throughout the document, stating he noticed some discrepancies.

LAUREN SCHUMANN, PRINCIPAL PLANNER sought clarification and asked if his question is regarding the updated table.

CHAIRMAN HEUMANN clarified this is something that can be looked at later and mentioned the area of code he was referring to had new wording and some language crossed off.

KEVIN MAYO, PLANNING ADMINISTRATOR acknowledged the possibility of oversight and welcomed feedback from the Chair and Commission.

CHAIRMAN HEUMANN stated the City is nearly fully developed with minimal vacant lots remaining, it becomes crucial to prioritize and protect key elements of our City's design and aesthetic. He highlighted the importance of these type of structures being compatible with the surrounding areas. Every development proposal should begin with a thorough assessment and questioning of its compatibility and impact. He asked whether a proposal for infill development with this type of design could be permitted without a public hearing process.

KEVIN MAYO, PLANNING ADMINISTRATOR explained the code prohibits certain types of buildings, primarily targeting prefabricated structures and often staff encounters challenges because the code classifies certain metal structures under this prohibition. Whether it's made of steel, block, wood, or even adapted from shipping containers, staff will continue to enforce our commercial design standards. This proposal aims to allow this construction method without it conflicting with another section of our code and the process and commitment to high-quality design remains unchanged.

COMMISSIONER LOPEZ presented concerns regarding the height and safety, especially when discussing five-story structures made of shipping containers. He asked about stacking, weight limitations, and if it's the Commissions duty to address this or is it the developer's responsibility. He presented concerns regarding stacking shipping containers and asked who ensures the safety of these tall structures?

KEVIN MAYO, PLANNING ADMINISTRATOR responded any structure, regardless of its construction method, must undergo the building code vetting process. As a matter of fact, when comparing with standard construction methods like steel structures or concrete floors, these shipping containers have an impressive load-carrying capacity. They are extremely durable, designed to handle thousands of pounds without collapsing. He confirmed they will be subjected to the same building permit review as any other construction method.

CHAIRMAN HEUMANN presented a scenario: If a developer were to consider such a structure in a neighborhood or somewhere similar, would it be permissible in a traditional neighborhood where perhaps someone buys multiple lots and wishes to introduce such a structure.

LAUREN SCHUMANN, PRINCIPAL PLANNER stated such construction can be considered in a traditional neighborhood; however, the usual development standards would need to be followed, like property setbacks and building permits.

KEVIN MAYO, PLANNING ADMINISTRATOR stated over the years, structures using shipping containers have been approved. He explained while the entire house was not built solely out of them, containers have been used as accessory structures and, in such cases, to maintain aesthetic consistency, staff required modifications like adding sloped roofs or matching the primary house's architectural design.

COMMISSIONER VELASQUEZ confirmed this amendment would allow structures to be permissible alongside arterial roads for both infill and new developments.

CHAIRMAN HEUMANN emphasized in allowing the use of shipping containers, there should not be a compromise on architectural and safety standards. He stated the flexibility to use this as a building material should not be interpreted as a blanket approval without adherence to set standards.

COMMISSIONER LOPEZ echoed Chairman Heumann's statements and stated the primary construction material should not be the only consideration and all other regulations, like environmental considerations, property setbacks, and others, still hold.

CHAIRMAN HEUMANN stressed the importance of precise wording in the code to clearly articulate and avoid any misinterpretations.

Slide #8 & #9 Administratively Reduce Setbacks within Certain Areas

LAUREN SCHUMANN presented the next proposed code amendment to allow administrative approval to reduce setbacks within certain sites if development proposes a pedestrian-oriented useable, and high-quality design. The goal is to foster infill and redevelopment as Chandler's current setback requirements are designed for suburban development and pose challenges. An illustrative example is presented of the property located at the northeast corner of Ray and Alma School roads. The property is zoned for commercial uses, and under the existing regulations, there are large landscape setbacks at intersections; 250-feet in length and 50-feet deep. This means there's a reduced buildable area for developers. Although developers can approach the Council to request a rezone for custom zoning and seek waivers, the process can be lengthy, taking anywhere from six to eight months. The proposed code amendment would allow administrative approval on setback reductions, given that the development is designed creatively and with proper consideration to the surroundings.

KEVIN MAYO, PLANNING ADMINISTRATOR stated the current code has the unintended consequence of pushing buildings closer to homes and staff is seeking administrative flexibility to adjust this and move buildings further from residential areas, ensuring neighborhood protection. He explained as roads have expanded and properties have become narrower the intent is to promote infill while preserving neighborhood integrity.

COMMISSIONER BARICHELLO asked regarding requirements at intersections, landscaping, and building setbacks; are you suggesting administrative approval could reduce landscape setbacks to 30 or 40.

KEVIN MAYO, PLANNING ADMINISTRATOR stated it would be considered on a case-by-case and site-specific basis. He further stated anything with administrative approval would align with what is advocated for in a public hearing. He explained the goal is to streamline the process, taking out the lengthy six to eight months and promoting more efficient building practices.

COMMISSIONER LOPEZ understood the intention but had issues with certain terminology. He pointed out there are specific areas and instances but its written ambiguous. He called for clearer guidelines on where and under what conditions these administrative decisions can be made, rather than a blanket permission.

COMMISSIONER BARICHELLO mentioned it is important to note that property size can be deceptive, as a site might be four acres, but with certain constraints, its effective size is smaller.

CHAIRMAN HEUMANN stated using southeast Chandler, for example, there is a set of criteria that needs to be met for certain allowances and changing to this route administratively, there should be a structured system in place; therefore, if a proposal does not meet the criteria, it should undergo a more rigorous process. He mentioned this is currently part of the PAD practice now and this administrative process makes him nervous, especially in older parts of town changes must harmonize with the existing neighborhood.

KEVIN MAYO, PLANNING ADMINISTRATOR explained Chandler's planning dynamics are evolving, historically, planning was highly regulated, making some practices deeply ingrained; however, as the City transitions to infill and redevelopment, staff finds these conventional standards no longer align. In southeast Chandler, our residential building guidelines have a tiered approach. If developers aim for about 2.5 to 2.75 units per acre, they follow this method, staff has used this system for 20 years and while it has seen some success, it has not fully met the City's expectations. Businesses often choose the simpler tiers and staff rarely see Applicants opting for more challenging ones, which were designed to meet our main objectives. He stated if the Commission is not ready for such an approach, staff will consider removing this proposed amendment and continue working under existing codes. He further explained the idea is to streamline the process and emphasize high-quality design and pedestrian experiences. The existing tiered approaches in the code have not lived up to their potential over the last 20 years.

COMMISSIONER QUINN stated infill lots pose unique challenges for development. If not profitable enough, developers might look elsewhere. He gave an example in Glendale, where aspects like landscaping have been traded to make the sites work. He stated the City of Phoenix has a

dedicated team for infill projects, emphasizing the importance of using these spaces rather than leaving them vacant. He presented statements regarding the importance of balance and how focus should be on supporting development rather than creating barriers.

CHAIRMAN HEUMANN stated Commissioner Quinn is highlighting a crucial issue and there needs to be solutions that balance the needs of the community and developers.

COMMISSIONER QUINN stated in Glendale adjustments did not necessarily translate to additional costs and emphasized any process that becomes too burdensome will force developers to seek alternatives elsewhere.

KEVIN MAYO, PLANNING ADMINISTRATOR explained staff is hesitant to create a one-size-fits-all solution as it not practical. He stated staff could make developers aware of what they can build according to the current code and if the developers are considering alternatives, staff can have specific goals to guide them. Once these goals are met, there could be room for flexibility.

CHAIRMAN HEUMANN stated in Scottsdale, he has seen old buildings torn town down and replaced with large homes. He would like to ensure the guidelines cater to different scenarios to avoid future complications and recommended the proposed amendment be written in such a way that there are no issues.

KEVIN MAYO, PLANNING ADMINISTRATOR clarified the focus on this proposed code amendment is on non-residential properties.

COMMISSIONER QUINN pointed out the image on the presentation and stated to envision it as a commercial spot; after accounting for parking, the drive isle, landscaping, and other essentials, the usable space is too limited and such configurations are unattractive for many developers.

CHAIRMAN HEUMANN presented statements regarding the history of difficulties with the parcel on the presentation.

DAVID DE LA TORRE, PLANNING MANAGER clarified that the proposed amendment is specific to the infill area north of the 202 and there is particular criteria aligned with the City's goals, like traffic management, buffering from residential zones, etc.

CHAIRMAN HEUMANN recommended the goals can be refined further for clarity and ease of implementation.

VICE CHAIR KOSHIOL echoed the statements of Chairman Human and stated it is essential, especially considering future planners who might lack the historical context to provide a detailed framework to guide them.

CHAIRMAN HEUMANN emphasized the need for a system that stands the test of time for future planners.

COMMISSIONER MORGAN asked if there was a way to ensure safeguards are in place to maintain the setback distance from residential properties.

KEVIN MAYO, PLANNING ADMINISTRATOR confirmed safeguards would be in place.

Slide #10 Modify Requirements for Free-standing pad Buildings

LAUREN SCHUMANN presented the next proposed code amendment to allow the modification of requirements for freestanding pads. The current zoning code allows one freestanding pad per arterial street, so generally large commercial centers are only allocated two freestanding pads by right. She stated in unique cases, the proposed amendment would allow administrative capability to review and possibly allow for more than one freestanding pad per arterial when the quality of architecture is warranted.

COMMISSIONER BARICHELLO pointed out the image presented and asked if the pad in question is on the far western side of the site. He asked if not permitted by right if they would need to undergo the PDP process for modifications.

CHAIRMAN HEUMANN presented statements regarding the potential traffic nightmares, for example, an In-n-Out next to Chick fil A can be problematic. He stated when larger businesses are involved, traffic problems can intensify and if businesses claim they have the right to place multiple PADs on a street, traffic can worsen, especially in areas where there are already complaints.

KEVIN MAYO, PLANNING ADMINISTRATOR reminded the Commission that each site is unique. He stated instead of a strict 'by right' approach, staff is suggesting an administrative review instead of a six-to-eight-month public hearing process. The aim is to expedite the process without compromising on standards; for example, if a site like the one at Queen Creek and Alma School were proposed, staff would want the ability to streamline the approval without compromising on standards.

CHAIRMAN HEUMANN emphasized the need to for a system to ensure consistency, especially as personnel change over the years. For instance, defining what counts as a PAD and managing intense use cases, like a bank vs. a popular coffee drive-thru, is important.

COMMISSIONER BARICHELLO sought clarification to confirm that a PAD does not necessarily mean a drive-thru and for a non-drive-thru use, the traffic impact would be different. He stated

some PADs specify the number of drive-thrus allowed and that maybe an exception can be made for non-drive-thru uses.

KEVIN MAYO, PLANNING ADMINISTRATOR stated that is a good point and many businesses now want drive-thru lanes, but staff must differentiate between low-intensity and high-intensity drive-thrus.

CHAIRMAN HEUMANN stated Banks, for instance, have low-intensity drive-thrus, while coffee shops like Starbucks have high-intensity ones. He asked if the amendment can define and categorize these, so there is a clear difference in intensity between banks and popular coffee outlets.

KEVIN MAYO, PLANNING ADMINISTRATOR responded yes to Chairman Heumann's question and stated the City can conduct traffic impact analyses. He further stated that some drive-thrus have been rejected due to concerns about traffic spilling onto arterial streets and that staff aims to plan for the worst-case scenario to ensure nothing is inadvertently approved.

CHAIRMAN HEUMANN emphasized the importance of considering worst-case scenarios, especially as establishments change over time. He stated a bank might convert to a coffee shop, leading to increased traffic. The City's standards are unique and if there is a change to administrative approval, the standards need to be clearly defined.

COMMISSIONER BARICHELLO pointed out instead of the decision relying on the Planning and Zoning Commission for recommendation then to Council; could the City provide a traffic analysis and if the proposed meets the criteria from a traffic perspective and the City's traffic engineer confirm the roads can handle it and that is part of the standards, so decisions do not become subjective.

CHAIRMAN HEUMANN stated if a project is approved for something with a lower impact and later it changes to a higher intensity, it becomes an issue. He stated Chandler's standards are unique and not like other cities, so whenever we have such cases, clarity is crucial. He emphasized it is about looking ahead and today's decisions might bring issues for someone else in the future.

COMMISSIONER LOPEZ stated Councils can be fickle and even if a proposal meets all administrative standards and is approved, there is a public aspect where the Council must defend it the decision.

KEVIN MAYO, PLANNING ADMINISTRATOR asked if they could try to create a clear framework for such decisions through this discussion.

DAVID DE LA TORRE, PLANNING MANAGER clarified in the draft text proposes: notwithstanding the forgoing, the Zoning Administrator may approve more than two freestanding PAD sites per development administratively, upon determining that and then has certain criteria and one of those is there is sufficient area on the site to accommodate safe and adequate on site traffic circulation. He clarified the feedback from the Commission is that they want the wording to be more specific.

CHAIRMAN HEUMANN stated he finds that criterion vague and would like conversions from low to high intensity uses are accounted for.

COMMISSIONER QUINN asked what is preventing a lot split and if a lot split was achieved if a PAD could go on each.

KEVIN MAYO, PLANNING ADMINISTRATOR stated nothing is preventing a lot split, however the number of lots comes down to the zoning and PDP approvals. He stated the approval for the larger commercial development these decisions and it was approved as part of a commercial development, splitting it into multiple parcels would not change the underlying guidelines. It would be driven by the larger PDP approval and the zoning and guidelines remain consistent.

Slide #11 Modify Requirements for Drive Throughs (online orders)

LAUREN SCHUMANN stated the next proposed code amendment addresses a notable trend to introduce a dedicated drive thru lane for online order pickups. Post-COVID, changes were observed in how businesses operated and the design of their premises. Many high-turnover businesses are looking to incorporate an online order pickup lane. Based on the current code, they had defined queuing lane specifications, including a requirement for a 150-foot distance from the pickup window to the start of the queue. Additionally, the code stipulated that from the order box to the start of the queue, space for six cars be available. This model was not congruent with the needs of online order pickup. Research indicated that some businesses, like Salad and Go, only allow for two customers to pick up within a five-minute timeframe. Thus, it is recommended to amend the code to accommodate online order pickup queuing, recommending a minimum length of 40-feet to fit two cars.

CHAIRMAN HEUMANN stated given the changing dynamics of pick-up services, this amendment seems timely and perhaps it might even reduce waiting times at places like Starbucks. He pointed out that he noticed specific language in the proposed amendment and asked the Planning Manager to clarify the different measurements based on ordering methods.

DAVID DE LA TORRE, PLANNING MANAGER clarified if an order is placed on-site, the current code requires a different queuing distance from the start of the lane to the order box and for off-site or online orders where no order box is present, staff is proposing a shorter queue length of 40-feet instead of the existing 150-feet.

VICE CHAIR KOSHIOL pointed out that proposal is redefining instead of six vehicles to 120-feet instead.

KEVIN MAYO, PLANNING ADMINISTRATOR stated due to the 120-feet is to align more with the standard of six car lengths.

CHAIRMAN HEUMANN stated the adjustment could expedite pick-ups and this change reminds him of reduced parking for Uber. He further stated the need for eliminating the menu boards to reduce waiting times.

COMMISSIONER QUINN warned that he has observed instances at Someburros where even after ordering online or by phone, there is a wait time at pick-up window. He is concerned that the 40-feet is too short and perhaps a longer queue, like 80-feet or four car lengths should be considered.

COMMISSIONER MORGAN echoed Commissioner Quinn's concerns.

COMMISSIONER BARICHELLO presented concerns regarding orders not being ready for pick up and having designated parking spots, he asked if there was a way to place more responsibility on the business to manage these situations.

COMMISSIONER QUINN mentioned some establishments, like McDonald's, have pull-out spots for longer waits; however, they are hesitant to use them because they are farther away and slow down their service.

KEVIN MAYO, PLANNING ADMINISTRATOR explained the 40-foot recommendation comes from industry research and if the Commission believes this is too short, staff appreciates guidance. He asked if it should be 60-feet or more.

CHAIRMAN HEUMANN considered potential back-ups and stated it is essential to ensure traffic does not spill onto main roads. He mentioned some businesses like Dutch Bros have issues, while Target does an excellent job with orders. He asked if businesses could have designated specific waiting spots in case of a delay in the order.

COMMISSIONER QUINN suggested the addition of a bypass lane.

COMMISSIONER BARICHELLO asked if staff could encourage quality design and use their judgment.

CHAIRMAN HEUMANN stated the main concern is preventing back-ups, whether in the parking lot or onto main roads. He favored having additional space as it seems prudent.

Slide #12 Modify Requirements for Drive Throughs (multiple drive-thru lanes)

LAUREN SCHUMANN stated in the presented image, the design previously went before the Council in 2018 and while staff aimed to closely match the 150-foot criteria, there was ambiguity about the specifications for a secondary window. She further stated another emerging trend observed is businesses desiring multiple drive thru lanes to efficiently handle customer volume. Some establishments construct a drive-thru and then divide the mandated queuing area into two separate lanes, only to merge them back into a singular lane. At peak times, one lane is often closed, which leads to vehicle overflow from the establishment onto neighboring properties or even public roadways. To address this, staff aims to incorporate explicit guidelines into the code. While businesses can opt for multiple queuing lanes, one lane must adhere to our set minimum requirements, with any additional lanes deemed as supplementary or bonus lanes.

COMMISSIONER QUINN agreed with the proposed change stating the 150-foot standard should apply exclusively to one lane.

Slide #13 Increase Height for Mid-Rise Overlay (MRO)

LAUREN SCHUMANN stated the next proposed code amendment would increase the height for the mid-rise overlay. In 2006, a mid-rise policy was established through an ordinance stipulating that any building exceeding a 45-foot in height would necessitate an additional ordinance. The original intent of this policy was to regulate structures exceeding five stories; however, over the past decade, staff has observed changes in architectural and engineering practices. Floor heights and mechanical zones have been increasing in size. Consequently, mechanical screening, even for buildings that are essentially three or four stories, is often pushing these structures beyond the 45-foot mark. This trend requires developers to undergo another entitlement process to be permitted to build above the 45-foot limit. To accommodate these evolving building standards and practices, the propose would raise the height threshold to 55-feet. This means only buildings surpassing 55-feet would necessitate an additional ordinance to breach the 55-foot ceiling.

CHAIRMAN HEUMANN presented statements regarding the proposed height changes and asked if this was going to be applicable across all areas of the City, including residential areas. He stated in some areas a 45-foot building is equivalent to a very tall two-story building and further stated suddenly allowing a 55-foot building right next to a residential area could be problematic, especially in places like North Chandler. He asked if the proposed is only concerning industrial properties.

KEVIN MAYO, PLANNING ADMINISTRATOR explained this is a change is citywide. Currently, buildings up to 45-feet are permissible everywhere, except in specific zones that have lower height restrictions, like certain residential areas. The proposal merely increases this from 45-feet to 55-feet. However, our mid-rise policy, which dictates where taller buildings can be constructed, remains unchanged. For instance, contemporary apartment buildings can be four stories tall, ranging from 48-feet to 52 feet, and we've always evaluated their compatibility based on this.

CHAIRMAN HEUMANN advised he is apprehensive about areas adjacent to residential not going through the process. He stated with infill, this is going to be a challenge, but when it is right next to a residential area, the proposed height could be problematic. He stated for industrial in West Chandler, such changes are inconsequential, but if it is going to be industrial next to a residential area, we need to be cautious, especially considering past discussions about downtown overlays and the proximity to residential zones.

LAUREN SCHUMANN, PRINCIPAL PLANNER addressed the Commission's concerns by explaining the code stipulates a certain setback for taller buildings and if a building is allowed to go up to 55-feet next to a residential area, it should be at least 80-feet away from the residential property line.

CHAIRMAN HEUMANN pointed out the earlier amendment for potential reductions in setbacks.

LAUREN SCHUMANN, PRINCIPAL PLANNER reminded the Commission that such setback reductions would be applicable from the street, not properties adjacent to residential areas.

CHAIRMAN HEUMANN mentioned in previous discussions there an implication that these setbacks could be encroached upon.

COMMISSIONER QUINN asked why the mid-rise overlay noted a building height in measured feet rather than redefine by four or five-stories.

KEVIN MAYO, PLANNING ADMINISTRATOR explained the reason is because even a four-story building, when inclusive of architectural elements like a parapet, might exceed the proposed height limit.

COMMISSIONER BARICHELLO asked about architectural elements like the addition of spires, he asked if they would need to be included in the height calculations.

KEVIN MAYO, PLANNING ADMINISTRATOR responded that typically, specific architectural embellishments are not included in such calculations.

Slides #14 & #15 Mechanical Screening

LAUREN SCHUMANN elaborated that expanding the mid-rise overlay could aid with the next potential code amendments, especially concerning mechanical screening on building rooftops, such as air conditioners. The objective was to effectively screen this equipment from view. The existing code mandates concealment from view and while developers typically preferred metal boxes for this purpose, the code had stipulated architectural integration from all vantage points. She noted that the image pertained to buildings containing offices, commercial spaces, and hotels. She emphasized the need for architectural integration and comprehensive screening from all

sides using materials and colors consistent with the building. She highlighted that some developers had expressed concerns about the code's restrictiveness compared to codes in other cities, but many cities are adopting similar guidelines. She cited examples where screening was mandated at a 45-degree angle from across the street but identified the potential complications arising from changes in the road gradient. Staff is asking for the ability to waive screening if it is not seen from an arterial street within a larger business park business or industrial subdivision, if it is not adjacent to residential, and when it is adjacent to residential it shall be completely screened. The way the code is currently written, would be no change to commercial, it would only change regarding industrial within larger business parks and buildings requesting a midrise overlay. She asked if the equipment is placed in the center of a seven-story building, is anyone going to see it.

KEVIN MAYO, PLANNING ADMINISTRATOR stated staff has encountered screening systems that stand 22 feet tall.

LAUREN SCHUMANN, PRINCIPAL PLANNER stated there one at the intersection of Ray and Price road that comes to mind.

CHAIRMAN HEUMANN pointed out the importance of screening to sound mitigation, especially in residential areas and used Cyrus One as an example of noise.

COMMISSIONER MORGAN stated Cyrus One's equipment is on the ground and not roof mounted.

CHAIRMAN HEUMANN emphasized that putting screening helps alleviate the vibrating sound, so it cannot be heard from a block or two away, especially in residential areas.

KEVIN MAYO, PLANNING ADMINISTRATOR explained that systems use materials like perforated corrugated metal, which allow airflow and have minimal noise reduction. In the case of Cyrus One, our regulations did not initially require them to mitigate noise; however, once complaints arose, they introduced acoustic measures.

CHAIRMAN HEUMANN stated as equipment sizes increase and they are placed on rooftops, noise concerns grow. He asked how the City codes will address the noise.

KEVIN MAYO, PLANNING ADMINISTRATOR clarified the noise regulations focus on the concept of "nuisance" rather than specific decibel levels. This has been both helpful and challenging and in the case of Cyrus one, it was not about volume of noise or loudness, but the persistent noise that was the issue. He confirmed the current approach allows staff to address such nuances.

CHAIRMAN HEUMANN asked in a situation requiring legal action, how would the "nuisance" definition hold up and in larger buildings, does the code specify that unscreened equipment on rooftops should be centrally placed and out of sight.

KEVIN MAYO, PLANNING ADMINISTRATOR clarified the "nuisance" definition has served the City well for years, though it is not strictly defined. As for the rooftop equipment, the emphasis is on minimizing visibility and noise impact. Distances can sometimes be deceptive; there have been complaints from residents located half a mile away from the source. Staff's approach considers both distance and sound quality.

CHAIRMAN HEUMANN mentioned a time, after a complaint, he visited a site and was surprised by the noise level.

Slide #16 Permit 'For Lease' Banner Signs

LAUREN SCHUMANN introduced the next proposed code amendment addresses a change made to the sign code in 2017. She pointed out a discrepancy where banners indicating "For Lease" or "Space Available" on buildings are not compliant with the 30-day display rule within a six-month period. She proposed a potential code amendment to address this, therefore, "For Lease" or "Space Available" banners can remain in spaces unoccupied.

CHAIRMAN HEUMANN stated currently the City is not enforcing the signage regulations. He has noticed non-compliant signs around the City, like the banner at the top career place which has been there for months, and it exceeds the code's specifications. He asked if there was a size limitation for these signs.

KEVIN MAYO, PLANNING ADMINISTRATOR responded, yes, the City has specific size limitations. For instance, the banner at the top career place can only be as large as the current code permits for banners. Staff aims to maintain the size regulations while proposing the flexibility to extend projection. Regarding enforcement, the decision to resume lies with Council and they would instruct the city manager accordingly.

COMMISSIONER LOPEZ stated as he recalls, years ago, there was a decision made by Council to begin enforcing these regulations.

CHAIRMAN HEUMANN recognized the challenge as the City is rife with banners and even balloons that have been displayed for months, he stated it is essential the City address this.

KEVIN MAYO, PLANNING ADMINISTRATOR agreed with Chairman Heumann and stated once the City decides to reinstate code enforcement, it will be a significant undertaking.

CHAIRMAN HEUMANN stated he supports the proposed amendments as long as staff ensures the allowed space is utilized appropriately and not just haphazardly filled with banners on trees and such.

COMMISSIONER LOPEZ presented statements regarding damage to such displays, like from strong winds. He mentioned the need for immediate repair.

CHAIRMAN HEUMANN echoed Commissioner Lopez's statements and recommended the wording reflect the need for regular maintenance and timely repairs.

KEVIN MAYO, PLANNING ADMINISTRATOR confirmed that staff will clarify maintenance in the proposal.

Slide #17 Murals

LAUREN SCHUMANN moved on to the next proposed code amendment to address murals. The current zoning code does not address murals and there has been challenges with murals that contain commercial imagery being classified as signs. The proposed would allow murals by right, so long as they do not display commercial imagery. If, for example, a taco restaurant displays a flying taco, it would be viewed as a sign rather than a mural.

CHAIRMAN HEUMANN asked how will staff handle potential conflicts, like a mural that leans towards a political ideology as he has seen artistic murals, but what if there is a controversial message. He asked the Assistant City Attorney how the City will be able handle such issues.

THOMAS ALLEN, ASSISTANT CITY ATTORNEY mentioned Chairman Heumann has a valid concern and once murals are allowed, regulating them becomes challenging. He provided an example of a anti-police mural example that was a First Amendment issue and stated if the City allows murals, regulating their content will be difficult.

CHAIRMAN HEUMANN asked about murals that seemingly advertise a product, for example offering free cookies.

THOMAS ALLEN, ASSISTANT CITY ATTORNEY stated commercial speech is different than first amendment case law and the City can restrict commercial more than regular speech and therefore can distinguish between them.

KEVIN MAYO, PLANNING ADMINISTRATOR stated if a bar depicts beers, it could be label it as commercial imagery and any commercial message or imagery in murals will be reviewed. Staff's aim is for clarity in the code and to ensure commercial messages are differentiated from standard murals.

COMMISSIONER LOPEZ asked if Espo's mural that depicts people eating is commercial imagery.

KEVIN MAYO, PLANNING ADMINISTRATOR clarified if Espo's wanted to display a three-dimensional plastic taco as part of their branding, staff would assess it based on various criteria. To the Assistant City Attorney, Thomas Allen's point, staff's intention is to codify what's already happening. For instance, when a mural with an anti-police message was displayed on the tattoo shop, staff determined it was not a sign per the sign code. The City's zoning code does not currently regulate murals, acknowledging First Amendment right to display it. The City did not intervene, as there is no specific ordinance that prohibits it. Staff aims to provide clarity in the code for those who seek to comply, the goal is to proactively ensure they understand the rules, rather than retroactively asking them to modify or remove their artwork, especially considering the potential costs involved. For example, if someone paints a mural with a commercial message without prior review, staff will have to intervene. They might argue about the cost involved in redoing the artwork and that is why the goal is to review such projects in advance, ensuring they adhere to the guidelines against commercial messages.

COMMISSIONER LOPEZ asked if this would be reviewed by permit.

KEVIN MAYO, PLANNING ADMINISTRATOR stated staff would not be approving murals, if it is a sign, there is a sign approval process.

CHAIRMAN HEUMANN presented a scenario: a mural with birds does not need approval.

KEVIN MAYO, PLANNING ADMINISTRATOR clarified it would not need a sign permit, there would be no approval by planning as staff will not be approving murals.

CHAIRMAN HEUMANN asked if one of the birds has the name of a shop attached, it becomes commercial?

KEVIN MAYO, PLANNING ADMINISTRATOR: Yes, that's the distinction we're drawing. We want to be proactive, providing clarity to people and avoiding reactive enforcement.

CHAIRMAN HEUMANN presented another scenario: a mural with birds with "Wild Birds Unlimited", would that count as a sign.

KEVIN MAYO, PLANNING ADMINISTRATOR confirmed that the "Wild Birds Unlimited" would make the mural a sign and it would need to go through the process.

CHAIRMAN HEUMANN asked what if a huge mural faces residential areas or if an owner of sign mural argues that other murals did not have to obtain approval from planning.

KEVIN MAYO, PLANNING ADMINISTRATOR stated if staff can proactively guide 80% of the cases to the right path from the outset that would be a success. He further stated there will always be that remaining 20% where there will be more of a reactive enforcement approach. If a commercial message is present, the responsible party will need to obtain the necessary sign permit and in cases where a mural might be classified as a sign, staff will have to evaluate each situation individually.

CHAIRMAN HEUMANN asked what if a 35-foot mural was painted on the building facing residential or a shopping center.

COMMISSIONER LOPEZ stated that would be allowed right now as staff has stated the code currently silent on this and it is a First Amendment right.

KEVIN MAYO, PLANNING ADMINISTRATOR confirmed this is correct, the zoning code does not regulate that, and they can claim it as their First Amendment right.

COMMISSIONER VELASQUEZ presented statements regarding size and asked if there should be a review for massive murals.

KEVIN MAYO, PLANNING ADMINISTRATOR stated while the City does have an Arts Commission, it is mainly for City projects, not private ones.

CHAIRMAN HEUMANN emphasized the challenge is balancing freedom of expression with potential community backlash. While many murals are positive, there is a risk with controversial ones.

Unknown: Yes, the ones that disregard guidelines will do so regardless.

Slide #18 Medical Parking Requirements

LAUREN SCHUMANN shifted the discussion to the next potential code amendment related to parking regulations, specifically addressing changes in the medical industry. She highlighted the necessity of updating the zoning code to account for various medical facilities with differing parking needs. For medical parking, the current code is broad, classify general medical which requires one parking space per 150 sq. ft. and hospitals at three parking spaces per bed. Staff aims to identify different intensities of medical offices and adjust the parking ratio accordingly. We've noticed outpatient surgery facilities don't typically need one space per 150 sq. ft. but closer to one per 200 sq. ft.

CHAIRMAN HEUMANN asked how the proposed parking ratios for outpatient facilities was determined as outpatient services, some visits last 15 minutes and others several hours, especially if there is a procedure followed by recovery.

KEVIN MAYO, PLANNING ADMINISTRATOR confirmed this is industry data and expert consultation. Many medical facilities have expressed their actual parking needs are less than what our code currently mandates. Staff adjusted the number based on both national standards and specific industry feedback.

COMMISSIONER LOPEZ asked if there is a new category for lower medical usage or is this a subcategory within the existing framework. He asked by changing the parking, if staff is risking future tenant changes requiring different parking needs.

COMMISSIONER QUINN echoed Commissioner Lopez's concerns and stated if the medical tenant changes and there was a reduction on parking, is there a situation created where there is not enough parking for the new medical user.

KEVIN MAYO, PLANNING ADMINISTRATOR clarified this is a potential long-term issue; however, current trends suggest most medical offices are reducing parking needs and there might be situations where there is insufficient parking, and staff will need to address those cases individually.

CHAIRMAN HEUMANN presented concerns about spillover parking into neighborhoods, like parking issues with multifamily.

KEVIN MAYO, PLANNING ADMINISTRATOR stated for medical offices, staff would like to ensure they have the required parking on-site before issuing a Certificate of Occupancy. If not, they might need to find alternative locations.

CHAIRMAN HEUMANN asked what if they already have a CFO due to taking over an existing space.

KEVIN MAYO, PLANNING ADMINISTRATOR explained if they require interior modifications that need a building permit, they will need to comply. Most outpatient surgery centers converting to other uses usually undergo modifications, and they get permits.

COMMISSIONER QUINN presented statements regarding the occupant load of the building and how this often dictates the parking needs. He presented concerns regarding parking reductions in the event a new user comes in who then must reverse the adjustment to adhere by their parking requirements.

Slide #19 Flex Industrial Parking Requirements

LAUREN SCHUMANN introduced the next potential code amendment regarding "flex industrial parking." Over the past five years, there has been a noticeable surge in the development of industrial complexes. Typically, staff is uncertain about the final user and the current industrial

code defines parking spaces for manufacturing at one spot per 1,000 square feet. In contrast, warehousing requires one space for every 500 square feet for the first 10,000 square feet, and then one space per 5,000 square feet subsequently. Additionally, office parking is set at one for every 250 square feet. Given this variability and the uncertainty surrounding the end user (which could range from research and development to manufacturing), staff proposes a streamlined requirement: two parking spaces for every 1,000 square feet. This average not only accommodates manufacturing and warehousing but also anticipates that around 30% of a building might be designated as office space, including any ancillary offices.

KEVIN MAYO, PLANNING ADMINISTRATOR explained when working with developers, staff often must juggle numbers, and this is especially true considering the Council's strategic framework which targets certain industry clusters while dissuading others. He pointed out the image on the presentation as an example: The north building shows three entrances, though the building is calculated as the first 10,000 and then the next 5,000 square feet of warehouse space, the presence of three users means we should be calculating the first 10,000 square feet for each user. This approach becomes convoluted and makes it challenging to align with the council's strategic goals for specific industry clusters. An average that consistently emerges as both accurate and manageable is two parking spaces per 1,000 square feet.

CHAIRMAN HEUMANN asked once this is established, how would that impact places with large numbers of people, such as call centers or other various users with several employees, especially as employers are no longer allowing employees to work at home.

KEVIN MAYO, PLANNING ADMINISTRATOR clarified call centers are categorized under 'office'. Hence, in a flex industrial building, unless the zoning explicitly designated as 100% office space, call centers would not ordinarily be located there. If they were the zoning designation would ensure the parking would be appropriate.

CHAIRMAN HEUMANN asked if a call center would be able to use the building if they obtained a use permit.

KEVIN MAYO, PLANNING ADMINISTRATOR responded there are instances where staff permitted office use in a similar building, but they would have to present an alternative parking plan. If truck bays aren't needed, for instance, how would they modify the rear area to accommodate car parking for office use.

Slide #20 Revise Uses Permitted in Non-residential Properties

LAUREN SCHUMANN moved on to the next potential code amendment, focusing on updating the table of permitted uses in the zoning code. She emphasized the need for a restructured table that groups similar uses for better accessibility. She highlighted the inclusion of missing permitted uses such as breweries and emerging concepts like cloud kitchens. She also introduced the notion of

"ancillary" uses, aiming to formalize this term within the code. The current table of permitted uses does not address this and by default, staff generally allows for ancillary use within a building up to 10%. The aim is to formalize this percentage, for industrial buildings with available parking, the proposed would permit up to 40% as ancillary office space. Staff has seen instances where a single user of these flex industrial buildings also brings their entire corporate office, exceeding the 10% threshold for ancillary office space. Fortunately, some of these buildings have provisions in their PDPs allowing for up to 25% office space. However, staff would like to codify a provision wherein, if parking permits, up to 40% of the building can be designated as ancillary office space in an industrial setting.

KEVIN MAYO, PLANNING ADMINISTRATOR explained staff has encountered situations where users tried to move into west Chandler, right at the heart of the districts and found a building with ample parking and had plans for a three-person office and staff told them it was not possible under the existing PDP. The user would be steered away because they did not have the time to go through the process.

CHAIRMAN HEUMANN asked if this was about adaptive reuse.

KEVIN MAYO, PLANNING ADMINISTRATOR stated staff is focusing on enhancing tools for adaptive reuse and redevelopment.

COMMISSIONER LOPEZ asked if staff is observing trends towards consolidation, for example combining offices and warehousing to avoid maintaining two separate buildings. He asked if companies incorporating office mezzanines and similar features.

KEVIN MAYO, PLANNING ADMINISTRATOR responded this is correct.

CHAIRMAN HEUMANN presented statements regarding SanTan Brewery's location on Warner Road and pointed out their facility is also a tasting room, and they have music; he asked how does this fit into this discussion.

KEVIN MAYO, PLANNING ADMINISTRATOR clarified that SanTan Brewery has regularly sought permits. Initially, staff allowed their setup because of the less than 10% ancillary tasting room. Over time, their operations grew, and they had to go through a more detailed approval process. He emphasized staff's aim is to define the guidelines for such ancillary spaces.

CHAIRMAN HEUMANN asked if anything within the building is fine, but if they want to expand outside, they would need to get a permit.

KEVIN MAYO, PLANNING ADMINISTRATOR stated if they serve liquor and have entertainment, they would need to come through the proper channels.

LAUREN SCHUMANN, PRINCIPAL PLANNER clarified that staff has removed all amendments related to entertainment use permits.

VICE CHAIR KOLSHIOL pointed out a small inconsistency: Under the retail section, services like tailoring and photography appear twice under both retail and personal services. One entry mentions the requirement for a use permit, while the other does not. Additionally, she asked what does the numeral "1" in the table signify.

LAUREN SCHUMANN, PRINCIPAL PLANNER stated the numeral 1 indicates the footnote about gas stations, she mentioned they not automatically permitted; they require use permits or rezoning.

CHAIRMAN HEUMANN sought clarification that staff will take the feedback presented this date then come back to Planning and Zoning Commission for review, then Council.

LAUREN SCHUMANN, PRINCIPAL PLANNER responded the goal is to get guidance and feedback before opening it up for public comments.

KEVIN MAYO, PLANNING ADMINISTRATOR added after gathering public comments, staff will make the necessary updates and share them digitally. He further stated the Commission will be kept in the loop throughout.

CHAIRMAN HEUMANN asked when can the Commission expect this to be ready for public comments.

KEVIN MAYO, PLANNING ADMINISTRATOR stated the goal is for this November.

Slide #21 Enforcement of Use Permit Renewal

LAUREN SCHUMANN moved forward with discussing the next potential code amendment regarding use permit renewal enforcement. She highlighted the absence of specific guidelines in the current zoning code and emphasized the need for clarity, particularly in cases when an application is under review. Using an entertainment use permit as an example, she demonstrated the stipulation of a two-year period. If renewal is not pursued after this period, it results in a violation. However, if a renewal application is submitted, enforcement is suspended until a Council decision is reached.

CHAIRMAN HEUMANN asked if someone applies for a renewal, but in the interim is operating without a valid permit, what is the procedure.

KEVIN MAYO, PLANNING ADMINISTRATOR presented an example: The Stillery's use permit expired, causing them significant concern and they wondered if they would have to shut down

entirely. The policy has always been that if a business has been granted a use permit and have applied for renewal, they can continue operating while the renewal is processed. He stated this is simply codifying what planning has been doing by policy the whole time.

CHAIRMAN HEUMANN pointed out the City has encountered this issue a couple of times and asked how the proposed will provide clarification, for instance, Planning and Zoning has a case on the agenda this date involving the new owners of Good Time Charli's, where the location had problems, and it took the City quite some time to resolve it. He asked if there more explicit language regarding revoking a permit.

KEVIN MAYO, PLANNING ADMINISTRATOR stated language for such scenarios are already present and with the case of Regal Beagle, the business prior to Good Time Charli's; it was not about staff lacking necessary tools for revocation, it was Council spending years trying to get them to cooperate and be more compliant, it was not just about revoking the permit.

VICE CHAIR KOLSHIOL asked if the use permits are not transferable if the location comes under a new owner.

KEVIN MAYO, PLANNING ADMINISTRATOR stated the use permits are tied to the property and staff is often questioned the enforceability of such conditions.

THOMAS ALLEN, ASSISTANT CITY ATTORNEY stated the recent permits specify that they are limited to the current applicant and new owners would have to reapply.

KEVIN MAYO, PLANNING ADMINISTRATOR clarified that staff has discussed this was various assistant city attorneys and there are opinions that once granted, a permit pertains to the land and not the owner.

CHAIRMAN HEUMANN pointed out the stipulation that any changes in the floor plan, like adding or removing a pool table would require reconsideration of the use permit.

COMMISSIONER LOPEZ stated that property owners should be aware of their permit's expiration and perhaps the City could emphasize this to the owners, so they understand the implications of not renewing in time.

VICE CHAIR KOLSHIOL asked if the use permit must be submitted for renewal within a certain time before expiration and what is staff's reminder process.

KEVIN MAYO, PLANNING ADMINISTRATOR clarified that staff will usually send them a reminder letter in advance and if they still do not respond, a more direct approach is taken with a site visit.

He stated over the past two decades, there have been only a few challenging cases. Most businesses, once established, focus on operations and overlook bureaucratic processes. Not necessarily out of negligence, but many are small businesses preoccupied with daily challenges.

Slide #22 Establishments Operating Under a Bar License

LAUREN SCHUMANN continued to the next proposed code amendment that's objective is to delineate the distinction between series six and series seven bar licenses. She explained with a series six bar license, a business could sell all types of alcohol and the Use Permit aims to protect residents or neighborhoods from a bar going in operating under a series six. She stated a series seven is a bar license to sell beer and wine and typically sought by tasting rooms. She elaborated on the complexities faced by businesses under these licenses, and exemplified the issues faced by Gameshow Battle Rooms. She suggested removing the use permit requirement solely for the series seven beer and wine license.

CHAIRMAN HEUMANN sought clarification and asked if a business is located in the district would they still need to apply for permission or if staff is suggesting to remove that requirement.

KEVIN MAYO, PLANNING ADMINISTRATOR explained in the case of GameShow Battle Rooms, they were permitted to operate in the C-1 zoning district outside of the series seven bar license; however, they expressed an interest in selling beer and wine — like for events on Sundays where they would operate primarily as a beer and wine bar and that initiated a need for rezoning. He explained if they stick to just selling beer and wine without adding entertainment like live bands, their status will not change, but introducing entertainment alongside beer and wine sales would then invoke the entertainment use stipulation. Essentially, the beer and wine sales would complement their main operation as a battle room.

LAUREN SCHUMANN, PRINCIPAL PLANNER added with the entertainment use permit, establishments are still allowed to have outdoor speakers. If an establishment sells alcohol to the public and features live entertainment, whether indoors or outdoors, or even just has speakers on the patio playing music, they must obtain an entertainment use permit. What staff is proposing is to remove the need for establishments with a series seven beer and wine license to acquire a use permit.

Code Amendment Neighborhoods

Slide #24 - #26 Permit Single-Family in Multi-Family Districts

LAUREN SCHUMANN, PRINCIPAL PLANNER introduced the neighborhoods and the quality of life for residents code amendments. She stated the first proposal is to permit single-family homes within multi-family districts. She presented an image with the involved the properties highlighted for the current proposal. Staff is suggesting a revision to permit the construction of single-family homes on properties zoned as multi-family, provided the total area doesn't exceed 12,000 square feet. As it stands, if a house on one of the highlighted properties were to suffer damage, from a

fire, and the owner wished to rebuild it as a single-family home: they would need a use permit or even a rezoning of their property. The goal with this amendment is to make the code more flexible, allowing these single-family homes to be reconstructed. This step will aid in preserving the character of our historic neighborhoods, especially those surrounding the downtown area. It's essential to note that this is capped at a 12,000 square foot lot size. Once a lot surpasses this size, it becomes increasingly feasible to construct multiple residential units on it.

CHAIRMAN HEUMANN asked how the 12,000 square feet size was determined.

LAUREN SCHUMANN, PRINCIPAL PLANNER explained staff identified all the properties involved and their existing structures on site. Once a lot exceeds 12,000 square feet, there are typically 2-4 dwelling units; therefore, density calculations suggest that with the adequate land size, they can build multiple units by right. The existing conditions on these lots usually do not include a single-family home.

CHAIRMAN HEUMANN asked if individuals in downtown Chandler could potentially add two homes their property because it is a multi-family lot.

LAUREN SCHUMANN, PRINCIPAL PLANNER stated if they meet all the requirements, such as density and parking, then yes.

COMMISSIONER BARICHELLO stated he is a strong supporter of maintaining downtown and it's character and over time, as properties become available, the city often purchases them. Eventually, could the City assemble these properties to create something unique for the downtown area. He asked if the downtown coordination team has provided any feedback on this, especially concerning the objectives of expanding the area and potentially excluding single-family homes immediately surrounding.

CHAIRMAN HEUMANN asked if Commissioner Barichello was referring to Washington Street, where the City has been acquiring houses.

KEVIN MAYO, PLANNING ADMINISTRATOR explained when the City formulated the South Arizona Avenue corridor area plan, there was not a historic preservation ordinance or a renewed focus on areas like Silk Stocking and Southside Village. The initial plan contemplated large property assemblages for potential redevelopment. After that, the City introduced an adaptive reuse overlay district to enable property conversions, like turning a lube shop into a gastropub or similar transformations. Post-adoption of the plan, there has not been much development unless the City is involved in large property assemblages. Most of the progress has been small-scale. The City then adopted a historic preservation overlay, primarily influenced by neighborhoods like Silk Stockings. As you can see in that image, we have many properties. The challenges of redevelopment in such areas are significant, with mostly independent developers or "mom and

pop" builders showing interest. These developers seek predictability. There have been cases where developers, with good intentions, were forced to build multi-unit structures when they initially planned for single-family homes. This was primarily due to existing zoning requirements.

CHAIRMAN HEUMANN asked if the primary goal was to avoid a public hearing.

KEVIN MAYO, PLANNING ADMINISTRATOR stated the most challenging situations arise when someone's home burns down, and they cannot obtain a permit to rebuild.

COMMISSIONER BARICHELLO stated he believes this amendment is positive and while he is sympathetic to those situations, he also believes in the benefits of density, especially in a downtown area.

KEVIN MAYO, PLANNING ADMINISTRATOR explained the code request aims to preserve as much of the character of neighborhoods like Silk Stockings and Southside Village as possible.

CHAIRMAN HEUMANN stated this will also benefit the downtown area where empty lots have existed for decades without any development. There is interest from people wanting to buy these lots to build homes, but the current regulations, requiring a public hearing process, are a barrier. He emphasized this amendment would help address that issue.

Slide #27 Front Yard Driveways

LAUREN SCHUMANN, PRINCIPAL PLANNER stated the next proposed code amendment pertains to front yard driveways in residential areas. Currently, our code mandates that all driveways be connected. Therefore, if a homeowner installs an RV gate on the opposite side of their property, they are obligated to connect it, often leading to the entire front yard being paved over. We are proposing to eliminate this connection requirement, aiming to reduce excessive hardscape and potentially encourage more landscaping within our neighborhoods.

CHAIRMAN HEUMANN confirmed there were no questions or comments from the Commission.

Slide #28 Permit Accessory Dwelling Units (ADU's) Single-Family District

LAUREN SCHUMANN, PRINCIPAL PLANNER proposed code amendment will allow accessory dwelling units within single-family properties. The current code permits guest quarters in single-family zoned properties; however, such guest quarters cannot have a cooktop and cannot be connected via a separate meter. Staff is suggesting that accessory dwelling units be allowed by default in single-family properties. These units would be categorized as accessory buildings. Each property can have only one such accessory building, which must adhere to the property's setbacks and the maximum height allowed for an accessory building. In this context, the height is capped at 15 feet, measured either to the top of the structure or the midpoint of a sloped roof. Additionally, the accessory dwelling unit's design should harmoniously integrate with the main

home's architecture. One uncovered off-street parking space for the unit, ensuring it does not obstruct the primary residence's required parking.

COMMISSIONER BARICHELLO pointed out in the details there are restrictions on short-term rentals and asked about those who have been renting short-term for years and are suddenly unable to continue. He mentioned Phoenix undergoing a similar process and the State's ability to override what municipalities do and asked how did this restriction come about.

KEVIN MAYO, PLANNING ADMINISTRATOR stated anyone that has an accessory structure in their backyard, uses it as a short-term rental, and it contains a kitchen, it is illegal.

CHAIRMAN HEUMANN pointed out the aim is to increase the housing stock by adding these structures without allowing short-term rentals, addressing the housing shortage.

KEVIN MAYO, PLANNING ADMINISTRATOR emphasized this is a valley-wide issue and at the State level, the housing supply committee has indicated that if cities don't act, the State will intervene. One unique aspect for Chandler is the requirement for additional off-street parking, which many other cities don't demand.

COMMISSIONER LOPEZ pointed out that in certain neighborhoods, streets are already packed with cars.

COMMISSIONER BARICHELLO sought clarification and asked if a structure does not have a kitchen, can still be rented out short-term.

KEVIN MAYO, PLANNING ADMINISTRATOR responded yes, however a short-term rental typically cannot be rented without a kitchen.

CHAIRMAN HEUMANN presented statements regarding setbacks and asked if there is a house that is 25-feet high, can you place a 25-foot-high structure in the backyard.

KEVIN MAYO, PLANNING ADMINISTRATOR clarified the maximum allowed is 15-feet and existing regulations for structures, be it a detached workshop or guest quarters, remain unchanged. The only new stipulation is the parking requirement for structures with a kitchen.

CHAIRMAN HEUMANN asked what about side yard setbacks and if there a minimum lot size required to add an accessory unit.

KEVIN MAYO, PLANNING ADMINISTRATOR stating coverage and setbacks all become self-regulating as lot sizes get smaller.

COMMISSIONER QUINN pointed out two neighbors could be side by side and because they are in different neighborhoods could have different distinct requirements. He stated if this was built in his backyard it would be 8 square feet. He appreciated this proposal for multi-generational setup to allow elderly family members to feel independent yet have the family's support.

COMMISSIONER BARICHELLO shared the same sentiment.

LAUREN SCHUMANN, PRINCIPAL PLANNER stated individuals request these units for aging parents or adult children, the primary intention is not for vacation rentals.

CHAIRMAN HEUMANN asked what is the definition of a short-term rental.

KEVIN MAYO, PLANNING ADMINISTRATOR clarified that "short-term rental" is defined by the State and its by duration.

Slide #29 & #30 Home Occupation

LAUREN SCHUMANN, PRINCIPAL PLANNER presented the next proposed code amendment, under our current policy, the City allows home occupations within residential properties with certain restrictions. The occupation must be conducted entirely within the dwelling by a family member living there; no customers or employees can visit the home; inventories for the occupation cannot exceed the size of a closet; no business signage is allowed; and the occupation should not alter the residential character of the neighborhood. Staff is proposing changes to this policy to permit certain home occupations such as personal services like piano lessons, seamstress work, beauty services, photography, therapy, and consulting. Prohibited uses include motor vehicle services, animal grooming, kenneling, and even general medical offices. The updated policy would allow for either one employee or one customer appointment at a time, but not both simultaneously. Such activities could take place between 8:00 a.m. and 7:00 p.m. The occupation need not be confined to the home interior, and it could extend to garages or accessory buildings, provided it does not take up required off-street parking spaces. For instance, a single-family home, which typically requires a two-car garage for parking, must maintain this parking even if a garage or an accessory building is used for the occupation.

CHAIRMAN HEUMANN pointed out some individuals have home gyms in their garages, taking up half the space. He asked if someone had personal training in their home gym if they could utilize one garage space for it.

LAUREN SCHUMANN, PRINCIPAL PLANNER stated, ideally, that person would have a three-car garage because they could not replace parking with their use.

COMMISSIONER LOPEZ asked if parking include the garage and the driveway.

KEVIN MAYO, PLANNING ADMINISTRATOR clarified only covered spaces count and mentioned that individuals are free to store possessions in the garage, and if they want a home gym, that is allowed, but once its converted to a training facility is where it gets regulated.

COMMISSIONER BARICHELLO gave an example of someone who wanted to wash cars inside the garage and pointed out the usage varies throughout the day. He asked could that be considered.

KEVIN MAYO, PLANNING ADMINISTRATOR clarified that would be classified under car detailing or automotive services.

CHAIRMAN HEUMANN asked if swim lessons could be added.

KEVIN MAYO, PLANNING ADMINISTRATOR explained that staff considered swim lessons, but there were difficulties to codify a rule that allows a swim instructor to teach one student at a time, ensuring that appointment times are not overlapping.

CHAIRMAN HEUMANN recalled those discussions and asked if the instructor could have one student at a time with no parents arriving early or late.

KEVIN MAYO, PLANNING ADMINISTRATOR stated in theory, yes, but it does not always work that way in practice.

CHAIRMAN HEUMANN presented concerns for potential issues down the road given prior swimming lesson cases.

KEVIN MAYO, PLANNING ADMINISTRATOR explained that swimming lessons were not included specifically by right because they generate noise and disturbances. Staff decided not to include them in this amendment because of potential conflicts with neighbors and incompatibility.

CHAIRMAN HEUMANN stated he would like the addition of swim lessons in this amendment.

DAVID DE LA TORRE, PLANNING MANAGER explained recently, a resident inquired about offering swimming lessons for babies. Following this, staff received complaints from three neighboring residents who were disturbed by the constant sound of babies crying, as their backyards adjoined the location of the lessons. To protect the tranquility of residents' outdoor spaces, it was decided not to permit these lessons in that location.

CHAIRMAN HEUMANN advised that his perspective on this is deeply rooted in concern because he does not wish to hear about another child drowning in Chandler due to a lack of adequate swim lessons. He stated in the past the City held a significant debate about providing free swim lessons with some advocating for eliminating them entirely. He explained if such services can

prevent even one child from drowning, it is invaluable. He is skeptical of complaints about babies crying throughout the day, especially when the proposed hours are not even 12-hours long. He acknowledged if an individual misuses the permission in any way that deviates from the norm and become a nuisance and the Commission will revisit the situation.

KEVIN MAYO, PLANNING ADMINISTRATOR stated staff will note this as a comment.

COMMISSIONER LOPEZ asked if the baby or minors with parents count as one customer.

KEVIN MAYO, PLANNING ADMINISTRATOR stated there has been discussions amongst staff regarding the definition of a customer. If the De la Torre family wanted to go to a photographer, and they have eight family members for their session that would count as one customer.

COMMISSIONER VELASQUEZ pointed out that dependents with a parent would count as one customer.

COMMISSIONER LOPEZ stated one customer and one employee seems restrictive and asked about Federal Firearm Licenses (FFL) as there are restrictions from removing firearms from premises, so customers must come pick them up.

KEVIN MAYO, PLANNING ADMINISTRATOR explained currently, the City does not allow FFLs to operate from homes because customers cannot visit the home. He stated with this proposal, they still would not be allowed to have customers retrieve firearms.

CHAIRMAN HEUMANN asked what kind of music lessons are allowed and mentioned if neighbors are complaining about the noise of babies crying are they going to be okay with the drums or the tuba. He stated he has no issues with music lessons, he is just curious.

LAUREN SCHUMANN, PRINCIPAL PLANNER stated musical instrument lessons are permitted if it is between 8:00 a.m. and 7:00 p.m.

Slide #31 Reduced Setbacks for Residential Swimming Pools

LAUREN SCHUMANN, PRINCIPAL PLANNER stated the next proposed code amendment is for housekeeping purposes, it is to reduce the setback for residential swimming pools. The current zoning code says that swimming pool should be set back by 5-feet. We just want to align with the current building code which is 3-feet.

COMMISSIONER LOPEZ asked how the setback is measured.

KEVIN MAYO, PLANNING ADMINISTRATOR responded the set back is measured from the edge of the pool to the property line and this is controlled by building code.

COMMISSIONER LOPEZ mentioned with walls and such, 3-feet feels very close.

COMMISSIONER VELASQUEZ asked what industry standard is used and what is the City checking against.

KEVIN MAYO, PLANNING ADMINISTRATOR stated the IBC is used and currently the zoning code is placed at 5-feet because it used to be 5-feet. He stated there is a desire for the building and zoning code to be sync with this set back requirement.

Slide #32 - #34 Increased Size of Residential Open Air Ramadas

LAUREN SCHUMANN, PRINCIPAL PLANNER stated the next proposed code amendment is to increase the permitted size of an open-air Ramada. Currently, an open-air Ramada is a structured space that's open on all sides, providing shade, typically found next to a pool. The maximum allowed size is 150 square feet with a height limit of 10-feet to the top of the structure. They are required to be setback 5-feet from the property line. While there is no limit to the number of ramadas a property can have, each must be separated by at least 1-foot. This may seem straightforward, but the current wording allows for a setup like this: a resident could potentially fill their backyard with ramadas if all separated by one. The challenge with the 150-square-foot limit is that many pre-manufactured Ramadas, which are available at stores like Home Depot, Lowe's, and Tuff Shed, exceed this size limit. To address this, staff is proposing the removal of the maximum square footage limit and instead dictating the size by the total allowable percentage: no more than 30% of the rear backyard could be occupied by such open-air Ramadas. Additionally, the structures must adhere to the total lot coverage for the entire property, typically around 45%. This would maintain the requirement for ramadas to be set back from the property lines and not exceed a height of 10-feet. Due to popular demand, one of the ramada walls to be fully closed, but with a height limit of 7-feet, excluding chimneys, such walls could be used for media or cooktop purposes.

CHAIRMAN HEUMANN asked what is the maximum height of the property wall.

KEVIN MAYO, PLANNING ADMINISTRATOR stated the maximum wall height for a single-family neighborhood is 7-foot and this number was decided upon considering typical wall heights.

CHAIRMAN HEUMANN asked if this wall can be any taller than the property wall.

KEVIN MAYO, PLANNING ADMINISTRATOR clarified that it can be, but it would force homeowners to raise their property walls later if they wanted a media wall, or if they simply preferred having a taller wall between them and their neighbors.

CHAIRMAN HEUMANN pointed out the language is a bit convoluted and asked for clarification on the 30%.

LAUREN SCHUMANN, PRINCIPAL PLANNER stated that it is calculated from the back plane of the home.

CHAIRMAN HEUMANN asked how would it be measured if someone had a patio cover that extended out by 10-feet.

LAUREN SCHUMANN, PRINCIPAL PLANNER clarified that the measurement would start from home.

CHAIRMAN HEUMANN sought clarification and asked if an individual with a house and adds a 10 x 20 patio cover, does that count towards the lot coverage.

KEVIN MAYO, PLANNING ADMINISTRATOR confirmed that this would indeed be part of the lot coverage and it would also contribute to the 30% maximum coverage for the rear yard.

CHAIRMAN HEUMANN sought further clarification and asked if a rear yard measures 20 x 50, and 30% of that is 300 square feet, if they wanted to add more ramadas, the combined area including the patio cover could not exceed that limit?

KEVIN MAYO, PLANNING ADMINISTRATOR confirmed that is correct, whether the individual wants two or three ramadas or more. For patio covers, the City has had a one-size-fits-all approach for a long time. It's created issues, where homeowners are frustrated by having to modify beautiful open ramadas just to comply with the code and some end up creating makeshift solutions that look absurd.

Slide #35 & #36 Right Sized Multi-Family Parking Requirements

LAUREN SCHUMANN, PRINCIPAL PLANNER moved on to the next proposed code amendment regarding parking requirements for multifamily residences. As it stands, the code dictates a specific number of parking spaces based on the number of bedrooms, and a certain fraction of these must be covered. Staff is not proposing any changes to our current rates as the focus is not on increasing the number of parking spaces per bedroom, but rather on instituting a requirement for guest parking spaces. Although the City has tried to ensure guest parking through policy, staff would like to solidify this by codifying that 0.25 spaces should be provided per unit specifically for guests. For the presented image of the 425-unit development, this translates to an addition of approximately 106 parking spaces, which are not designated to residents but are distributed throughout the development for guests.

CHAIRMAN HEUMANN sought clarification and asked if the required parking spaces are determined by the number of bedrooms in a unit and if the additional spaces are required, that residents cannot be charged for these.

LAUREN SCHUMANN, PRINCIPAL PLANNER confirmed this is correct and the secondary part of the requirement is to prevent developers from charging residents for these mandated parking spaces.

CHAIRMAN HEUMANN presented statements regarding reviewing the parking code in the past and stated a single-bedroom unit might have two occupants with two vehicles and pointed out the potential parking issues. He asked how did staff determine the space requirement for different types of units, like one parking spot for a two bedroom.

KEVIN MAYO, PLANNING ADMINISTRATOR clarified that the numbers align with industry standards when guest parking is applied. He stated currently, it is straightforward: a set minimum for each unit type plus an additional 0.25 spaces per unit for guests. Consider a scenario where two roommates in a two-bedroom apartment both have partners who are not officially on the lease but stay there often. Staff is aiming to accommodate these situations for a more livable environment as some apartment complexes today do not include parking with the lease. Residents might have to pay extra for a parking spot and such practices impact neighborhoods negatively.

VICE CHAIR KOLSHIOL asked how garages are accounted for.

KEVIN MAYO, PLANNING ADMINISTRATOR stated that garages count if developers are including them as required covered parking and if so, they cannot charge separately for them.

VICE CHAIR KOLSHIOL asked if the garage would have to be included in the lease.

KEVIN MAYO, PLANNING ADMINISTRATOR responded yes, the developer can integrate the garage cost into the lease, but if it is counted as required covered parking, it must be designated to a specific unit.

VICE CHAIR KOLSHIOL asked how are one and a half spaces assigned to a unit.

KEVIN MAYO, PLANNING ADMINISTRATOR clarified that the developer would be required to assign one space. He stated if the developer wants to provide garages that do not count towards the required amount, they will not need to assign it to a unit. He stated that staff will review the language in the proposed code amendment further to ensure the intent is that the developer cannot charge separately for parking, but it can be rolled into the cost of the lease.

VICE CHAIR KOLSHIOL stated that she supports this change as parking is always a challenge and this aligns Chandler with where it should be.

CHAIRMAN HEUMANN pointed out a one-bedroom requires 1.5 spaces and asked why staff rounds down.

KEVIN MAYO, PLANNING ADMINISTRATOR stated for one-bedrooms and studios one space is required to be assigned and for two and three-bedrooms two spaces are assigned.

CHAIRMAN HEUMANN asked if there were ten one-bedrooms how many parking spots would be required.

KEVIN MAYO, PLANNING ADMINISTRATOR clarified that fifteen spaces would be required, and ten spaces would need to be assigned.

KEVIN MAYO, PLANNING ADMINISTRATOR explained that staff recognizes the demand for parking in apartment complexes and that the goal is to make livable communities and to strike the right balance.

COMMISSIONER BARICHELLO pointed out that some of the feedback, noted concerns about balancing parking spaces with landscaping.

CHAIRMAN HEUMANN wished the City would have been clarified this years ago.

DAVID DE LA TORRE, PLANNING MANAGER pointed out that language in the proposed code amendment states "shall be prohibited from charging separate fees". He stated the language will be reviewed further considering the feedback given this date.

Slide #37 Guest Parking Requirements

LAUREN SCHUMANN, PRINCIPAL PLANNER moved on to the next proposed code amendment regarding guest parking requirements for all residential developments other than multi-family. Staff has earnestly tried to ensure guest parking spaces, especially when on-street parking is not available. She presented an image and stated there are a single-family residential community with driveways, but no on-street parking and for such developments, staff would want them to provide 0.25 guest parking spaces dispersed throughout the development for guest parking. Meanwhile, for developments that lack driveways, there would be a requirement to provide 0.5 guest parking spaces, evenly dispersed throughout the development. This has been our longstanding policy, and staff is keen on codifying it.

KEVIN MAYO, PLANNING ADMINISTRATOR stated staff wishes to make this policy into code.

COMMISSIONER LOPEZ asked where exactly does this apply.

KEVIN MAYO, PLANNING ADMINISTRATOR stated this is applicable to single-family and any non-multifamily residential development that doesn't have on-street parking.

COMMISSIONER QUINN asked if staff is ensuring this policy aligns with HOA rules and guidelines.

KEVIN MAYO, PLANNING ADMINISTRATOR stated the City does not get into HOA CCNRs, so their conditions are different. If a community decides to ban on-street parking, it is generally overnight and most HOAs do not restrict daytime on-street parking. If it is restricted during the day, it is usually the fire department's call based on road width designs. He confirmed that the City does not get involve in HOA restrictions on overnight parking.

COMMISSIONER QUINN stated it is a conflict with the PADs as there is nowhere for guest parking. He presented statements regarding the PAD allowing on-street parking, then HOA sets rules that negate this, resulting in neighborhoods without guest parking.

KEVIN MAYO, PLANNING ADMINISTRATOR stated the City does not engage with private property rules and mentioned there is recent state legislation which overrides HOAs on this and it is applicable for subdivisions built after a certain date, unless they vote to keep their existing rules.

Slide #38 Neighborhood Perimeter Walls and Slide #39 Prohibit Double Walls

LAUREN SCHUMANN, PRINCIPAL PLANNER presented the next two code amendments stating the aim is to protect the privacy and well-being of our residential communities. The present guidelines do not mandate the installation of perimeter walls for new developments adjacent to residential zones, and staff has been informally encouraging this practice. Staff would like to establish this in into the code. Specifically, new developments bordering residential areas will be required to establish a 6-foot wall as a boundary. The height of this wall, set at 6-feet, will be measured from a point within 5-feet of its highest part. This ensures not only privacy for existing residents but also addresses any potential topographical variations or grade differences, ensuring new developments maintain consistent sightlines and do not intrude upon or overlook neighboring homes. The next proposed amendment is to prohibit double walls therefore developers shall work with the adjacent property owner to replace walls instead. The city code is currently silent on double walls and new developments.

VICE CHAIR KOSHIOL asked if staff was suggesting that any new project or property developed adjacent to existing residential areas must have a 6-foot wall if there is not one already?

KEVIN MAYO, PLANNING ADMINISTRATOR confirmed that is corrected and stated staff has seen developers opting for double walls, which often results from their reluctance to collaborate with neighbors or handle complicated construction logistics.

VICE CHAIR KOSHIOL presented statements of difficulties with this from the developer side. She stated in her experience, she once approached 20 property owners with a proposal to build a new wall to elevate the site due to constraints, but she could not get unanimous agreement. The developers were forced to build a dual wall because the municipality required that the developer had to get all the neighbors to agree, and they were unable to do so. She asked how can developers compel independent property owners in such situations.

COMMISSIONER BARICHELLO echoed the statements of Vice Chair Koshiol stating that he has faced the similar situations.

KEVIN MAYO, PLANNING ADMINISTRATOR stated staff is familiar with this challenge and have engaged residents directly in such situations to explain the benefits of working with developers,

VICE CHAIR KOSHIOL explained with increasing infill developments, this issue will become more common and instead of prohibiting dual walls, could there be a better solution like for the City to mediate between developers and residents.

KEVIN MAYO, PLANNING ADMINISTRATOR explained that staff mediates in certain situations and stated when the space between the walls exceeds 5-feet, it is no longer considered it a dual wall. He further stated the prohibition is on walls closer than five feet.

VICE CHAIR KOSHIOL asked for clarification regarding the mandate for a new wall, what if there's already a wall, albeit a shorter one, can landscaping serve as a buffer instead.

KEVIN MAYO, PLANNING ADMINISTRATOR explained there have been instances where the difference in height creates issues, especially near sidewalks. While landscaping can serve as a buffer, it's not permanent. Landscaping can die or be removed, making it less reliable than a solid wall.

VICE CHAIR KOSHIOL pointed out a recent case for a property on Riggs Road where a corridor was created with a dual wall and the Commission asked for it to be gated.

COMMISSIONER BARICHELLO stated that was due to the height of the 8-foot wall.

KEVIN MAYO, PLANNING ADMINISTRATOR clarified that there was a 10-foot-wide pathway and was not considered a dual wall, he stated the City considers anything less than 5-feet a dual wall.

COMMISSIONER BARICHELLO asked considering the requirement for a wall, if there is already an existing wall about two feet high, instead of a new wall, could we consider using a specific type of landscaping that serves as a barrier, much like a natural screening.

Slide #40 Satellite Dish Regulations

LAUREN SCHUMANN, PRINCIPAL PLANNER presented the last proposed code amendment to revise the code to align with the Federal Communications Commission (FCC).

CHAIRMAN HEUMANN commented on residents placing satellites in visible areas, for example on their patio covers, to ensure line of sight and stated the rules are bound by the FCC.

LAUREN SCHUMANN, PRINCIPAL PLANNER thanked the Commission for their feedback and stated the next step is this is public outreach. She stated the Commission should expect to see these at the November Planning and Zoning Meeting.

Adjourn

The meeting was adjourned at 4:35 p.m.



Kevin Mayo, Secretary



Rick Heumann, Chairman