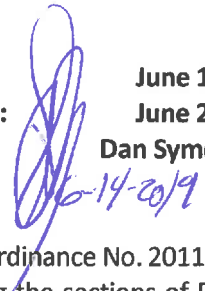


**PLANNING AND DEVELOPMENT SERVICES REPORT**  
**Zoning Code Text Amendment**

**PUBLIC HEARING**  
**PZ-19-00094**

DATE: June 14, 2019  
MEETING DATE: June 25, 2019  
REPORT BY: Dan Symer, AICP



**REQUEST:**

For a Zoning Code Text Amendment (Case No.: PZ-19-00094) to amend the Flagstaff Zoning Code (Ordinance No. 2011-20) for the purpose of modifying chapters, divisions, and sections of Title 10 Flagstaff Zoning Code, including the sections of Division 10-20.30: Common Procedures, Division 10-20.40: Permits and Approvals, Division 10-30.60: Site Planning Design Standards, Division 10-40.30: Non-Transect Zones, Division 10-40.40: Transect Zones, Division 10-40.60: Specific to Uses, Division: 10-50.30 Building Height, Division: 10-50.40 Encroachments, Division 10-50.50: Fences and Screening, Division: 10-50.60 Landscaping Standards, Division 10-50.100: Sign Standards, Division 10-50.90: Resource Protection Standards, and Division 10-80.20: Definition of Specialized Terms, Phrases, and Building Functions, to resolve conflicts, incorporating technical corrections and clarity, and to add new, and modify existing, requirements, provisions, and definitions.

**STAFF RECOMMENDATION:**

Staff recommends the Planning and Zoning Commission, in accordance with the findings presented in this report, find that the required findings of the Zoning Code have been met, and make a recommendation to the City Council for approval of the Zoning Code Text Amendment.

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**I. Project Introduction**

**A. Background**

The Zoning Code was adopted by the City Council on November 1, 2011, to replace the former Land Development Code. Since its adoption, the code has been amended several times to address procedures, add clarity, resolve conflicts, address planning initiatives (accessory dwelling units), incorporate applicant's requests (West University Drive Entrance Sign District), and to address changes in state law and U.S. Supreme Court decisions (i.e. Reed vs the Town of Gilbert). In addition, on June 12, 2019 the Planning and Zoning Commission recommended approval to the City Council of an amendment to the Zoning Code to address a series of technical, conflict resolution, and clarity modifications – including the addition of the Seasonal Amusement/Entertainment and Sales, Indoor and related provision to the into the Light Industrial (LI) zone.

**B. Proposed Amendment**

The proposed amendment includes multiple changes to the Zoning Code to resolve conflicts, incorporating technical corrections, add clarity, and to simplify the existing requirements. New provisions are being added, and several sections of the reference divisions are being modified, relocated, or deleted.

The most significant of the modifications include:

- Limiting land use of Animal Keeping to be an accessory use in most residential districts, and as a primary allowed use in the Rural Residential (RR) zone and Estate Rural (ER) on lots or parcels with five acres, or greater;
- Adding provisions to allow existing residential subdivisions, and homes within these subdivisions, to be developed or modified in accordance with the setback and lot size provisions shown on record subdivision plat approved by the City Council;
- Add outdoor storage as primary allowed use in the Heavy Industrial (HI) zone and Heavy Industrial – Open (HI-O) zone;
- Incorporate standards for day care home and day care center in compliance with the State of Arizona requirements; and

- Limiting the size of vehicle that maybe stored in the Industrial, Light – General land use to FHA class 6 vehicle and smaller.

*Summary of the Staff Revisions to Zoning Code:*

The proposed amendment includes:

1. **Notice of Public Hearings (Section 10-20.30.080):** Changes to the public hearing notice for preliminary plats and uses within a public facility zone.
2. **Minor Improvement Permits (Section 10-20.40.080):** Changes to clarify the requirements
3. **Temporary Use Permits (Section 10-20.40.150):** Incorporate changes to relocate and modify the requirements pertaining to temporary storage structures, off-site temporary construction trailer(s), and exemptions
4. **Residential Zones (Section 10-40.30.030):** Incorporate modifications to the land use, building form, and miscellaneous requirements. A summary of the modifications includes changes to: animal keeping as primary land use; relocation of requirements to other sections; setback modifications; allowances for lot sizes and setbacks for previously platted subdivisions. In addition, the modifications include changes to various, miscellaneous, technical, term and cross references, and relocation of provisions.
5. **Commercial Zones (Section 10-40.30.040):** Incorporate modifications to the allowed uses, building form, and miscellaneous requirements. A summary of the modifications includes changes to: renaming the allowed use of Lodging to Travel Accommodations; and relocation and addition of open space requirements for residential developments. In addition, the modifications include changes to various, miscellaneous, technical, term and cross references, and relocation of provisions.
6. **Industrial Zones (Section 10-40.30.050):** Add outdoor storage as an allowed use in the Heavy Industrial and Heavy Industrial – Open zones; and, modifications to various, miscellaneous, technical, and cross references provisions.
7. **Public and Open Space Zones (Section 10-40.30.060):** Correct the adoption, scrivener's and table errors of the allowed uses. In addition, the modifications include changes to various, miscellaneous, technical, cross references, and relocation of provisions.
8. **Accessory Buildings and Structures (Section 10-40.60.020):** Incorporate modifications to relocate the accessory use to a new section (Section 10-40.60.025), simplify and clarify provisions, and relocate temporary storage containers to section 10-20.40.150.
9. **Accessory Uses (Section 10-40.60.025):** Add a new section specific to accessory uses.
10. **Day Care Home and Center (Section 10-40.60.150):** Incorporate technical modifications to conform with State of Arizona requirements, and clarify provisions.
11. **Outdoor storage (Section 10-40.60.275):** Add a new section specific to outdoor storage.
12. **Warehousing (Section 10-40.60.320):** Delete section and incorporate provisions into outdoor storage.
13. **Forest (Section 10-50.90.060):** Incorporate changes to clarify and modify the requirements of Forest Resource Protection Thresholds as a Percentage of Site Area for the non-transect and transect zones
14. **Definition of Specialized Terms, Phrases, and Building Functions (Division 10-80.20)** Modify and add various definition of the Zoning Code, including: Accessory Buildings and Structures; Bed and Breakfast; Day Care, Center; Development Site; Development, Multiple-Family; Development – Attached Single-

Family; Development - Detached, Single-Family; Development, Duplex; Development - Cluster, Dwelling, Multiple-Family, Single-Family; Factory Built Building; Industrial, Light – General; Older Individual; Parcel; Parking Structure, Above-Ground; Parking Structure, Underground; Passive Recreation; Residential Community Building Area; Sanitation facilities; Sign; Travel Accommodation; Use, Secondary; Warehousing; Yard; Yard, Exterior; and Yard, Interior.

15. **Additional Enforcement, Technical, Figure and Term Modifications (Sections 10-30.60.040, 10-40.40.100, 10-40.60.240, 10-40.60.250, 10-40.60.280, 10-50.30.030, 10-50.40.020, 10-50.60.050, and 10-50.90.060):** Incorporate, correct, clarify, and modify various technical, enforcement, cross references modifications.

II. **Zoning Code Text Amendment**

An application for a Zoning Text Amendment shall be submitted to the Planning Director and shall be reviewed and a recommendation prepared. The Planning Director’s recommendation shall be transmitted to the Planning and Zoning Commission in the form of a staff report prior to a scheduled public hearing. The recommendation shall include: an evaluation of the consistency and conformance of the proposed amendment with the goals and policies of the General Plan and any applicable specific plans; the grounds for the recommendation based on the standards and purposes of the zones set forth in Section 10-40.20 (Establishment of Zones) of the Zoning Code; and, whether the amendment should be granted, or denied.

A Zoning Code Text Amendment shall be evaluated based on the following findings:

A. **Finding #1:**

- **The proposed amendment is consistent with and conforms to the objectives and policies of the General Plan and any applicable specific plan;**

The proposed amendments are primarily to resolving conflicts, incorporate technical corrections and add clarity to zoning code. Clerical in nature, the amendments do not substantively modify the existing provisions of the Zoning Code and maintains consistency and conformance with the objectives and policies of the Regional Plan (General Plan) and applicable specific plans.

Incorporated in the proposed amendment are clarification to the requirements for forest resource protection. Currently the code does not address the transect zones and existing standards are based on uses instead of the zones. The modified requirements treat all property in a particular zone consistently, regardless of use, and incorporate requirements for property that utilize the transect zones ((E&C 3.3, E&C 4.1, E&C 6.3, E&C 10.1, E&C 10.2, and CC 1.1) of the Regional Plan).

B. **Finding #2**

- **The proposed amendment will not be detrimental to the public interest, health, safety, convenience or welfare of the City;**

The proposed amendments are not anticipated to be detrimental to the public interest, health, safety, convenience or welfare of the City. These amendments are primarily to resolving conflicts, incorporate technical corrections and add clarity to zoning code.

C. **Finding #3**

- **The proposed amendment is internally consistent with other applicable provisions of this Zoning Code.**

The proposed amendments enhance the zoning code’s internally consistency by resolving conflicts, incorporate technical corrections and adding clarity. Furthermore, the proposed amendments are intended to maintain the zoning code’s purpose as a comprehensive contemporary set land uses and requirements that are straightforward, usable and easily understood.

June 12, 2019

**V. CITIZEN PARTICIPATION**

In accordance with State Statute and the Zoning Code, the Planning and Zoning Commission work session and public hearing for these amendments was advertised in the Arizona Daily Sun on May 25, 2019. Also, persons of interest that are on file with the Planning and Development Services Department were notified of the work sessions and hearings via first class mail. As of the date of this report, staff has not received any comments from the public pertaining these amendments.

**VI. PLANNING AND ZONING COMMISSION WORK SESSION**

At the May 22, 2019 Planning and Zoning Commission Work Session, staff and the applicant reviewed the text amendment applications with the Commission. A summary Commission's comments included:

- Clarification pertaining to AirBnB and similar uses (vacation rentals and travel accommodations) was requested. Staff clarified that these uses are not include in the definition of Travel Accommodations; and, the Arizona Revised Statues limits the ability of cities to regulate much of the operation of vacation rentals and travel accommodations.
- Clarification pertaining to deletion of accessory uses from the allowed primary use table;
- A request to clarify and simplify the determination of an accessory use;
- Comments and clarification pertaining to mixed use development setbacks; and
- Editorial comments.

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**Attachments:**

1. Draft of the Proposed Ordinance Revisions

## Corrections for Adoption in Flagstaff Zoning Code

### Part 1 of Staff Corrections

#### HOW TO READ THIS DOCUMENT

Unless otherwise stated, provisions that are being deleted are shown in bold red strikethrough text, like this: ~~Provisions that are being deleted are shown with a bold red strikethroughs text.~~

Provisions that are being added are shown in bold blue text, like this: **Provisions that are being added are shown in bold blue text.**

Graphics/Figures that are being deleted are indicated with an "X" over the graphic/figure.

Graphics/Figures that are being added are indicated with a border  around the graphic/figure.

Tables that are being deleted are indicated with an "X" over the Tables.

Tables that are being added are indicated with a thick border  around the Tables.

Section 1. Amend Title 10 FLAGSTAFF ZONING CODE, Section 10-20.30.080 Notice of Public Hearings, as follows:

#### **10-20.30.080 Notice of Public Hearings**

**A. Notice of Application.** Prior to consideration of any action for a General Plan amendment, specific plan amendment, Zoning Code text amendment, Zoning Map amendment, conditional use permit, ~~preliminary subdivision plat~~, variance, or appeal heard by the Board of Adjustment, ~~or change of use within the PF (Public Facility) zone~~, notice shall be given in compliance with the requirements of this section. In those cases where a public hearing is required as part of the approval process, no hearing shall be scheduled until the applicant has paid the required fee(s). Fees are listed in Appendix 2, Planning Fee Schedule. All of the following applicable provisions shall be met:

~~A.~~ **B. Notice Requirements.** Any changes to State law notice requirements shall control over this provision in the manner of providing notice.

1. **Contents.** Every published, posted and mailed notice of public hearing shall include:
  - a. The date, time, location and purpose of the hearing;
  - b. The name of the body conducting the hearing, and a telephone number to receive additional information;
  - c. The location and times at which the complete application and development file may be viewed by the public;

- d. The address or location of the subject property;
  - e. A general description of the proposed development or action and the property included in the application;
  - f. A statement that any interested person or authorized agent may appear and be heard;
  - g. A statement describing how and when to submit written comments;
  - h. The existing zone classification; and
  - i. The word "Zoning," if applicable.
2. **Manner of Posting.**
- a. Notices of public hearings for requests to amend the Zoning Map shall be posted on the subject property and printed so that the following are visible from a distance of 100 feet: the word "zoning"; the existing zone; the proposed zone; and the date, time and place of the hearing.
  - b. Notices of public hearings for all other applications such as General Plan amendments, conditional use permits, or Board of Adjustment hearings shall be posted on the subject property and printed so that the date, time and place of the hearing is visible from a distance of 100 feet.
3. **Manner of Notification.** Notices of required public hearings shall be sent by first class mail to the following persons:
- a. Each real property owner (if different from the applicant) as shown on the last assessment of the property, of any land within the areas subject to the application for which the public hearing is required.
  - b. Each real property owner (if different from the applicant) as shown on the last assessment of the property of any land which is located within 300 feet of the property subject to the application for which the public hearing is required. The Director may expand the notification area based on the location and context of the subject property if it is determined that the potential impact of the development extends beyond the required notification boundary.
  - c. The situs or actual address of all tenants and residents living on the subject property.
  - d. All local government agencies which have reviewed and commented on the proposed development or Zoning Map amendment or which abut the subject property.
4. **Failure to Receive Notice.** Notwithstanding the notice requirements set forth in subsections (A)(2) and (3) of this section, the failure of any person or entity to receive notice shall not constitute grounds for any court to invalidate the amendments for which the notice was given.
5. **Responsibility for Providing Notice.**

- a. The Director shall be responsible for placing the public hearing notices required by this section in a newspaper of general circulation within the City.
  - b. The applicant shall post the notice(s) as required by this section on the subject property. The applicant is required to maintain the posting and remove the sign within seven days after the public hearing and final action. Failure to remove the sign may result in the City removing the sign and charging the applicant for costs incurred. The applicant shall submit a notarized affidavit of posting and photographs of the signs posted on the subject property to the Director no less than 15 days prior to the public hearing date.
  - c. If notice is required to be provided by mail, the applicant is responsible for establishing a list of names and addresses of property owners in compliance with the requirements of Section 10-20.30.060(D)(3) and (5), as well as the names and situs addresses of all tenants and residents living on the subject property, in compliance with this section. The applicant shall mail a public hearing notice to each of the property owners on the list referenced above no later than 15 days prior to the public hearing date. A notarized copy of the mailing list shall be submitted to the Director prior to or on the fifteenth day prior to the public hearing date.
  - d. Failure to provide the documentation described in subsections (A)(5)(b) and (c) of this section will result in continuance of the case to the next available public hearing date.
6. **Time of Notice.** All required notices shall be posted or published within a time frame prior to the public hearing determined in compliance with State law as well as the review schedule on file with the Planning Section.

**B. C. Registry of Interested Persons or Groups.** Any interested persons or groups may contact the Planning Section to register their names, addresses and other contact information so that they can be notified of all public meetings and public hearings of the Board of Adjustment, Planning Commission and/or Council.

**G. D. Additional Noticing Requirements.**

- 1. In proceedings involving one or more of the following proposed changes or related series of changes in the standards governing land uses, notice shall be provided as described in subsections (C)(2) and (3) of this section:
  - a. A 10 percent or more increase or decrease in the number of square feet or units that may be developed.
  - b. A 10 percent or more increase or reduction in the allowable height of buildings.
  - c. An increase or reduction in the allowable number of stories of buildings.
  - d. A 10 percent or more increase or decrease in setback or open space requirements.
  - e. An increase or reduction in permitted uses.

2. Notice shall be sent to all persons or groups whose names are on the registry of persons and groups described in subsection (B) of this section who are interested in receiving such notice.
3. Notice shall be provided to real property owners in compliance with at least one of the following notification procedures:
  - a. Notice shall be sent by first class mail to each real property owner, as shown on the last assessment, whose real property would be directly governed by the changes.
  - b. Notice shall be included with water bills or other City mass mailings.
  - c. Notice shall be published in a newspaper of general circulation published or circulated in the City in the form of a "display ad" covering not less than one-eighth of a full page.
4. In proceedings where additional requirements for citizen outreach are required as provided in Section 10-20.30.070, Additional Requirements for Citizen Outreach, full compliance with the notification requirements of that section is required.

Section 2. Amend Title 10 FLAGSTAFF ZONING CODE, Section 10-20.40.080 Minor Improvement Permits, as follows:

**10-20.40.080 Minor Improvement Permits**

- A. Purpose.** ~~This section establishes the requirements for a minor improvement permit to~~ To ensure that compliance with the applicable provisions of ~~this the~~ Zoning Code ~~is achieved~~ , this section establishes the requirements for a Minor Improvement Permit. ~~A minor improvement permit shall be reviewed, approved and issued by the Director prior to the placement, installation, construction or development of the following structures that do not otherwise require a building permit as required by applicable City building codes:~~
- ~~1.—Decks;~~
  - ~~2.—Garden wall;~~
  - ~~3.—Accessory structures, such as sheds or storage containers; and~~
  - ~~4.—Fences (see Division 10-50.50, Fences and Screening);~~
- B. Application.** The property owner shall obtain approval of an application for a Minor Improvement Permit prior to the placement, installation, construction or development of structure that does not require a building permit in accordance with the Building Code. Structures that require the approval of an application for a Minor Improvement Permit include:
1. Accessory structures, such as sheds, storage containers, decks, fences, garden walls, patios, pergolas, trellises, wall, etc;

2. **Modification to the exterior of a structure, including materials and colors, determined to be minor by the Director for properties that are required to comply with Division 10-50.20 pursuant to Section 10-50.20.020;**
3. **Landscape modifications determined to be minor by the Director for properties that are required to comply with Division 10-50.60 pursuant to Section 10-50.60.020;**
4. **Other minor improvements determined by the Director.**

**B. C. Review and Final Decision.**

1. The Director shall review the minor improvement permit application and supporting documentation required by Section 10-20.30.020, Application Process, for compliance with the requirements of the Zoning Code.
2. The Director, in compliance with the review schedule on file with the Planning Section, shall determine whether the minor improvement permit can be issued or if additional information is required from the applicant to complete the application. If the application is denied, the reason shall be stated in writing.

**D. Exemptions. Children’s play houses and tree houses less than 200 square feet in floor area do not require the approval of an application for a Minor Improvement Permit.**

Section 3.

Amend Title 10 FLAGSTAFF ZONING CODE, Section 10-20.40.150 Temporary Use Permits, subsection D. Allowed Temporary Uses., paragraph 2., as follows:

**Section 10-20.40.150 Temporary Use Permits**

D. **Allowed Temporary Uses.** A temporary use permit shall be required for the following temporary activities. Other temporary or short-term activities that do not fall within the categories defined below shall comply with the planning permit requirements and development standards that otherwise apply to the property.

2. ~~Construction Yards~~ **Construction Yard(s)** – Off-Site. Off-site contractors’ construction yards, for an approved construction project require a temporary use permit. Written authorization from the property owner(s) or property management company(ies) representing the property owner(s) shall be provided prior to the establishment of the off-site construction yard. The construction yard shall be removed immediately upon completion of the construction project, or the expiration of the building permit authorizing the construction project, whichever occurs first. **Immediately upon removal of the construction yard(s), the property shall be restored to the condition pre-existing the construction yard(s), or a condition approved by the Director.**

Section 4.

Amend Title 10 FLAGSTAFF ZONING CODE, Section 10-20.40.150 Temporary Use Permits, subsection D. Allowed Temporary Uses., paragraph 14., and add paragraphs 15 and 16, in numerical order, as follows:

## Section 10-20.40.150 Temporary Use Permits

- D. **Allowed Temporary Uses.** A temporary use permit shall be required for the following temporary activities. Other temporary or short-term activities that do not fall within the categories defined below shall comply with the planning permit requirements and development standards that otherwise apply to the property.

~~14. Similar Temporary Activities. The Director may authorize other temporary activities that are similar to the activities listed in this subsection and that are compatible with the applicable zone and surrounding land uses.~~

### 14. Temporary Storage Structures.

- a. **Emergency situations and construction activities that do not require a building permit.** The property owner shall obtain the approval of a Temporary Use Permit within five (5) business days of the emergency, or prior to the placement of the structure for construction purposes. The maximum duration that the storage structure may remain on a property:
- (1) **Residential and Transect Zones.** Ninety (90) consecutive days, with the option of a one-time extension of additional 90 consecutive days, for a maximum total of 180 consecutive days within one year from the date that the initial temporary use permit was issued.
  - (2) **Commercial, Industrial and Public and Open Space Zones.** One hundred twenty (120) consecutive days, with the option for a one-time extension of the Temporary Use Permit additional 90 consecutive days, for a maximum total of 210 consecutive days within one year from the date that the initial temporary use permit was issued.
- d. **Seasonal sales storage structure.**
- (1) **Zones allowed in:** Commercial and Industrial zones.
  - (2) **The maximum duration that the storage structure may remain on a property for any one seasonal sale event:** forty-nine (49) consecutive days, with the option for a one-time extension of the Temporary Use Permit additional 14 consecutive days, for a maximum total of 63 consecutive days from the date that the initial temporary use permit was issued.
  - (3) **Maximum occurrences in a calendar year that a storage structure may be placed on a property for seasonal sales:** two (2).
- e. **Placement in all zones.**
- (1) **Seasonal sales storage structure.** In the commercial and industrial zones, storage structure shall be placed on the property of the seasonal sales event in a loading/dock area, or in an area where it is not visible from the public right-of-way.
  - (2) **All other temporary storage structures.** Storage structures may be placed within the rear, side, street side or front yard setback. A

*Consect, one*

storage structure may be placed in the right-of-way upon obtaining a right-of-way encroachment permit from the City's Engineering section.

- f. **Prohibited types of storage structures in all zones.** Storage structures mounted on chassis or wheels shall not be allowed.
15. **Temporary Construction Trailer(s) – Off-site.** Construction trailer(s) for an approved construction project that is not located on the lot or parcel of the associated development activity is required to obtain a temporary use permit. Written authorization from the property owner(s) or property management company(ies) representing the property owner(s) shall be provided with the application for a temporary use permit. The construction trailer(s) shall be removed immediately upon completion of the development project, or the expiration of the building permit authorizing the development project, whichever occurs first. Immediately upon removal of the construction trailer(s), the property shall be restored to the condition pre-existing the construction trailer(s), or a condition approved by the Director.
16. **Similar Temporary Activities.** The Director may authorize other temporary activities that are similar to the activities listed in this subsection and that are compatible with the applicable zone and surrounding land uses.

Section 5.

Amend Title 10 FLAGSTAFF ZONING CODE, Section 10-20.40.150 Temporary Use Permits, subsection E. Exempt Temporary Activities., to add paragraphs 7, 8 and 9 in numerical order, as follows:

**Section 10-20.40.150 Temporary Use Permits**

- E. **Exempt Temporary Activities.** The following temporary activities are allowed without a temporary use permit.
  7. **Temporary storage structures associated with a building permit.** Storage structure(s) used for the purpose of construction activities may be placed on a property after a building permit for the construction activities on the property has been obtained. The owner shall cause the storage structure(s) to be removed from property within seven days after the issuance of a Certificate-of-Occupancy, Certificate-of-Completion, final inspection or expiration of the permit pertaining to the construction activities. Storage structures mounted on chassis shall not be allowed.
  8. **Storage structures used for moving in all zones.** For the purpose of loading or unloading contents while in the process of moving, storage structures may be placed on a property for duration not to exceed 14 days. Storage structures mounted on trailers or wheels shall not be allowed.
  9. **Temporary Outdoor Retail Activities, Excluding Seasonal Sales.** Retail uses are allowed temporary outdoor activities, such as a garden sale, sidewalk sale (excluding the use of sidewalks in the right-of-way), sales promotion, or a similar activity as determined by the Zoning Administrator.

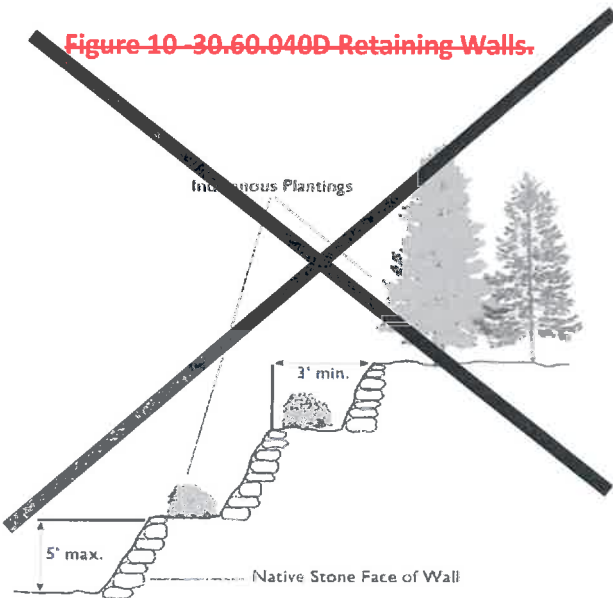
- a. The maximum occurrences that a temporary outdoor retail activity may occur on a property: One (1) occurrence per month.
- b. Maximum duration of any one occurrence of a temporary outdoor retail activity: fourteen (14) days.
- c. A temporary outdoor retail activity shall occur on the same property as the primary retail use that is directly associated with the activity. The temporary retail activity shall not create a nuisance (noise, smoke, odor, dust, vibration or illumination) that is greater than the primary retail use directly associated with the activity.

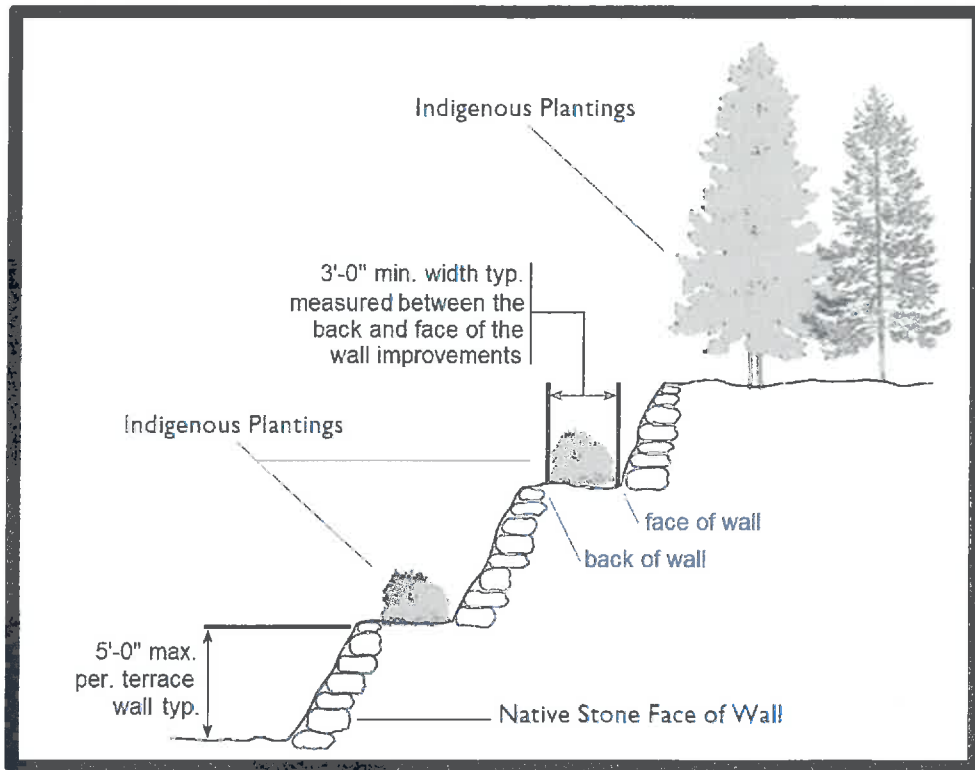
Section 6. Amend Title 10 FLAGSTAFF ZONING CODE, Section 10-30.60.040 Natural Features and Site Drainage, Subsection A. Applicable to All Zones., paragraph 1. Topography., Figure 10 -30.60.040D Retaining Walls., as follows:

**10-30.60.040 Natural Features and Site Drainage**

**A. Applicable to All Zones.**

**1. Topography.**





**Figure 10 -30.60.040D Retaining Walls.**

Section 7. Amend Title 10 FLAGSTAFF ZONING CODE, Section 10-40.30.030 Residential Zones, Subsection B. Residential Zones – Allowed Uses, and the associated table, as follows – including adding grid lines and shading to the table:

**Section 10-40.30.030 Residential Zones**

~~**B.—Residential Zones—Allowed Uses.**~~

**B. Residential Zones – Allowed Uses.** The allowed land uses of each of the Residential Zones are shown in Table 10-40.30.050.B.

Table 10-40.30.030.B. Residential Zones – Allowed Uses.								
Land Use <sup>1</sup>	Specific Use Regulations	Residential Zones						
		RR	ER	R1	R1N	MR	HR	MH
<b>Ranching, Forestry and Animal Keeping</b>								
<del>Animal Keeping</del>		<del>See Section 10-40.60.070</del>						
Animal Keeping	10-40.60.070	p <sup>6</sup>	p <sup>6</sup>	--	--	--	--	--
<del>Ranching</del>		--	--	--	--	--	--	--

**Table 10-40.30.030.B.  
Residential Zones – Allowed Uses.**

Land Use <sup>1</sup>	Specific Use Regulations	Residential Zones						
		RR	ER	R1	R1N	MR	HR	MH
<b>Recreation, Education and Assembly</b>								
Commercial Campgrounds	10-40.60.130	UP	--	--	--	--	--	--
Golf Courses and Facilities		UP	UP	UP	--	--	--	--
Equestrian Recreational Facilities		UP	UP	UP	--	--	--	--
Libraries, Museums		UP	UP	UP	UP	UP	UP	UP
Meeting Facilities, Public and Private	10-40.60.230							
Regional		--	--	--	--	--	--	--
Neighborhood		P/UP <sup>2</sup>	P/UP <sup>2</sup>	P/UP <sup>2</sup>	P/UP <sup>2</sup>	P/UP <sup>2</sup>	P/UP <sup>2</sup>	P/UP <sup>2</sup>
Outdoor Public Uses, General		P	P	P	--	P	P	P
Places of Worship		P/UP <sup>6</sup> P/UP <sup>5</sup>	P/UP <sup>6</sup> P/UP <sup>5</sup>	P/UP <sup>6</sup> P/UP <sup>5</sup>	P/UP <sup>6</sup> P/UP <sup>5</sup>	P/UP <sup>6</sup> P/UP <sup>5</sup>	P/UP <sup>6</sup> P/UP <sup>5</sup>	P/UP <sup>6</sup> P/UP <sup>5</sup>
Schools – Public and Charter		p <sup>3</sup>	p <sup>3</sup>	p <sup>3</sup>	p <sup>3</sup>	P	P	p <sup>3</sup>
Schools – Private		P	P	P	P	P	P	P
Trade Schools		--	--	--	--	--	--	--
<b>Residential</b>								
<b>Accessory Building and Structures</b>	<b>10-40.60.020</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>
<b>Accessory Dwelling Units</b>	<b>10-40.60.030</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>
Co-housing	10-40.60.120	P	P	<b>P PRD</b>	--	P	P	--
Congregate Care Facilities		UP	UP	UP	UP	P	P	UP
Day Care, Centers	10-40.60.150.B	UP	UP	UP	UP	UP	UP	UP
Day Care, Home	10-40.60.150.A	P	P	P	P	P	P	P
Dormitories		--	--	--	--	UP	UP	--
<b>Development, Duplex</b>		<b>P<sup>4</sup></b> <b>PRD</b>	<b>P<sup>4</sup></b> <b>PRD</b>	<b>P<sup>4</sup></b> <b>PRD</b>	P	P	P	--
<b>Dwelling: Development - Cluster, Single-Family</b>	10-40.60.170	P	P	-- <b>PRD</b>	--	--	--	--
<b>Dwelling: Multiple-Family Development, Multiple-Family</b>		<b>P<sup>4</sup></b> <b>PRD</b>	<b>P<sup>4</sup></b> <b>PRD</b>	<b>P<sup>4</sup></b> <b>PRD</b>	--	P	P	--

**Table 10-40.30.030.B.  
Residential Zones – Allowed Uses.**

Land Use <sup>1</sup>	Specific Use Regulations	Residential Zones						
		RR	ER	R1	R1N	MR	HR	MH
<b>Dwelling: Single-Family Development, Single-Family</b>		P	P	P	P	<del>P<sup>4,5</sup></del> PRD <sup>4</sup>	<del>P<sup>4,5</sup></del> PRD <sup>4</sup>	P
Group Home		P	P	P	P	P	P	P
Home Occupation	10-40.60.180	P	P	P	P	P	P	P
Institutional Residential								
Custodial Care Facilities		UP	UP	UP	UP	UP	UP	UP
Homeless Shelters	10-40.60.190							
Emergency Shelters		UP	UP	UP	UP	UP	UP	UP
Short Term Housing		UP	UP	UP	UP	UP	UP	UP
Transitional Housing		UP	UP	UP	UP	UP	UP	UP
Sheltered Care Homes		UP	UP	UP	UP	UP	UP	UP
Nursing Homes		--	UP	UP	UP	UP	UP	UP
Live/Work	10-40.60.200	--	--	--	--	<del>UP<sup>4</sup></del> UP/PRD	<del>UP<sup>4</sup></del> UP/PRD	--
Manufactured Home	10-40.60.210	--	--	--	--	--	--	P
Manufactured Home Park	10-40.60.210.D	--	--	--	--	--	--	P
Manufactured Home Subdivision	10-40.60.210.C	--	--	--	--	--	--	P
Mobile Home		--	--	--	--	--	--	P
Planned Residential Development	10-40.60.280	P	P	P	P	P	P	--
Rooming and Boarding Facilities		--	UP	--	--	UP	UP	UP
Single Room Occupancy, Fraternities and Sororities		--	--	--	--	UP	UP	--
<b>Retail Trade</b>								
Neighborhood Market								
≤ 1,500 sf		--	--	UP	--	--	--	UP
≤ 2,500 sf		--	--	--	--	UP	--	--
≤ 5,000 sf		--	--	--	--	--	UP	--
Offices		--	--	--	--	--	UP	--
<b>Services</b>								

**Table 10-40.30.030.B.  
Residential Zones – Allowed Uses.**

Land Use <sup>1</sup>	Specific Use Regulations	Residential Zones						
		RR	ER	R1	R1N	MR	HR	MH
Bed and Breakfast Establishments	10-40.60.110	P	P	P	P	P	P	P
Cemeteries		UP	UP	UP	--	UP	UP	UP
Hospitals		UP	UP	UP	UP	UP	UP	UP
<b>Public Services</b>								
Public Services Minor		P	P	P	P	P	P	P
Public Services Major		--	--	--	--	--	--	--
Emergency Services		UP	UP	UP	UP	UP	UP	UP
<b>Transportation and Infrastructure</b>								
Accessory Wind Energy Systems	10-40.60.040	P	P	P	--	P	P	P
Telecommunications Facilities								
AM Broadcasting Facilities	10-40.60.310	UP	UP	UP	UP	UP	UP	UP
Antenna-supporting Structure	10-40.60.310	UP	UP	UP	UP	UP	UP	UP
Attached Telecommunication Facilities	10-40.60.310	P	P	P	P	P	P	P
Colocation Facility	10-40.60.310	P	P	P	UP	P	P	P
FM/DTV/Low Wattage AM Broadcasting Facilities	10-40.60.310	UP	UP	UP	UP	UP	UP	UP
Stealth Telecommunication Facilities	10-40.60.310	P	P	P	P	P	P	P
<b>Urban Agriculture</b>								
Community Garden	10-40.60.140	P	P	P	P	P	P	P
Nurseries		UP	--	--	--	--	--	--
<b>End Notes</b>								
<sup>1</sup> <b>1.</b> A definition of each listed use type is in Chapter 10-80, Definitions.								
<sup>2</sup> <b>2.</b> A conditional use permit is required if liquor is sold or if facilities exceed 250 seats.								
<sup>3</sup> <b>3.</b> Charter schools proposed in existing single-family residences shall be located on residential lots one acre or greater. Charter schools shall be subject to the review processes established in A.R.S. §15-189.01., <b>as amended.</b>								
<sup>4</sup> <del>Permitted as Planned Residential Development (see Section 10-40.60.270, Planned Residential Development).</del>								

ADD

Table 10-40.30.030.B. Residential Zones – Allowed Uses.								
Land Use <sup>1</sup>	Specific Use Regulations	Residential Zones						
		RR	ER	R1	R1N	MR	HR	MH
<sup>5</sup> 4. Existing single-family uses and lots recorded in MR and HR, prior to the effective date of this Zoning Code, are considered legal, conforming uses.								
<sup>6</sup> 5. A conditional use permit is required if the facility exceeds 250 seats and/or if the facility is located adjacent to a toxic use.								
<b>6. Use is allowed only on a lot or parcel with a net lot area of five acres, or greater.</b>								
<b>Key</b>								
P = Permitted Use								
UP = Conditional Use – Requires the Approval of a Conditional Use Permit								
<b>PRD = Allowed Use only when part of a Planned Residential Development (see Section 10-40.60.280)</b>								
<b>UP/PRD = Conditional Use – Requires the Approval of a Conditional Use Permit, and the use shall be part of a Planned Residential Development (see Section 10-40.60.280)</b>								
-- = Use Not Allowed								

Section 8. Amend Title 10 FLAGSTAFF ZONING CODE, Section 10-40.30.030 Residential Zones, Subsection C. Residential Zones – Building Form Standards., as follows – including adding grid lines and shading to the table:

**10-40.30.030 Residential Zones**

- C. **Residential Zones – Building Form Standards and Property Development Standards. The building form and property development standards shown in Table 10-40.30.030.C. shall apply to all property within the corresponding residential zone.**

**Table 10-40.30.030.C.  
Residential Zones – Building Form and Property Development Standards.**

	Residential Zones						
	RR	ER	R1	R1N	MR	HR	MH
<b>Residential development subdivided by a plat that was recorded before December 5, 2011</b>							
<b>Lot sizes</b>	<p>(1) Lot sizes and setbacks shall be provided in accordance with the requirements delineated on the recorded plat. When a recorded plat does not have setbacks delineated, the Building Placement Requirements of this table shall govern.</p> <p>(2) Any lot(s) created or reconfigured in accordance with the subdivision code on, or after December 5, 2011, from a lot(s) platted before December 5, 2011, shall conform with the current requirements of the property's zone.</p>						
<b>Setbacks</b>							
<b>Building Placement Requirements</b>							
<b>Setback Setbacks</b>							
<b>Front (min.)</b>							
2nd Floor and Below	75'	50'	15'	15'	10'	10'	15'
Above 2nd Floor	75'	50'	15'	15'	15'	15'	15'
For Parking	--	--	25' <sup>1</sup>	--	--	--	--
<b>Side (min.)</b>							
Interior Lots <b>Side Yard</b>	10'	20'min./45'total	8'	6'	5'	5'	8'
<del>Corner Lots (interior)</del>	<del>10'</del>	<del>20'min./45'total</del>	<del>8'</del>	<del>6'</del>	<del>5'</del>	<del>5'</del>	<del>12'</del>
<del>Corner Lots (exterior)</del> <b>Street Side Yard</b>	25'	20'	20' <sup>2</sup> 15'	6'	5'	5'	12'
Rear (min.)	10'	60'	25' <sup>3</sup> 25' <sup>2</sup>	15'	15' <sup>4</sup> 15' <sup>3</sup>	15' <sup>4</sup> 15' <sup>3</sup>	10'
<b>Building Form Requirements</b>							
Building Height (max.)	35'	35'	35'	35'	35'	60' <sup>5</sup> 60' <sup>4</sup>	30'
Coverage (max.)	20%	17%	35%	35%	40%	50%	43%
<b>Density Requirements See Division 10-30.20, Affordable Housing Incentives</b>							
<b>Density: Gross (units/acre)</b>							
Min.	--	--	2	2	6	10	--
Max. Outside the RPO	1	1	6	14	14	29 <sup>6</sup> 29 <sup>5</sup>	11

**Table 10-40.30.030.C.  
Residential Zones – Building Form and Property Development Standards.**

		Residential Zones						
		RR	ER	R1	R1N	MR	HR	MH
Max. Within the RPO		1	1	5	--	9	22	4
<b>Lot Requirements</b>								
Area								
Gross (min.)		1 <del>ac</del> <sup>7</sup> ac <sup>6</sup>	1 ac	6,000 sf	6,000 sf	6,000 sf	6,000 sf	5 ac
Per Unit (min.)		1 <del>ac</del> <sup>7</sup> ac <sup>6</sup>	1 ac	6,000 sf	3,000 sf	<del>Endnote<sup>6</sup></del> Endnote <sup>5</sup>	<del>Endnote<sup>6</sup></del> Endnote <sup>5</sup>	4,000 sf
Width								
Interior Lots (min.)		<del>100</del> <sup>18</sup> <del>100</del> <sup>17</sup>	<del>140</del> <sup>19</sup> <del>149</del> <sup>18</sup>	<del>60</del> <sup>19,10</sup> 60 <sup>8,9</sup>	50'	<del>50</del> <sup>19,10</sup> 50 <sup>8,9</sup>	<del>50</del> <sup>19,11</sup> 50 <sup>8,10</sup>	--
Corner Lots (min.)		<del>100</del> <sup>18</sup> <del>100</del> <sup>17</sup>	<del>140</del> <sup>19</sup> <del>149</del> <sup>18</sup>	<del>65</del> <sup>19,10</sup> 60 <sup>8,9</sup>	50'	<del>50</del> <sup>19,10</sup> 50 <sup>8,9</sup>	<del>50</del> <sup>19,11</sup> 50 <sup>8,10</sup>	--
Depth (min.)		<del>200</del> <sup>18</sup> <del>200</del> <sup>17</sup>	--	<del>100</del> <sup>9</sup> 100 <sup>8</sup>	100'	<del>100</del> <sup>9</sup> 100 <sup>8</sup>	<del>75</del> <sup>19,11</sup> 75 <sup>8,10</sup>	--
<b>Other Requirements</b>								
Open Space ( <del>% of Gross Lot Area</del> ) (% of Gross Lot Area) <sup>11</sup>		--	--	--	--	See Table 10-40.30.030.A		
Fences and Screening		See Division 10-50.50						
Landscaping		See Division 10-50.60						
Lighting		See Division 10-50.70						
Parking		See Division 10-50.80						
Signs		See Division 10-50.100						
<b>End Notes</b>								
<sup>1</sup> 1. 15' for side entrance garages, where the garage is designed as an integral element of the primary dwelling (i.e., doors and windows are consistent with the overall architectural character).								
<del><sup>2</sup> 15' on existing lots with less than 8,000 sf or less than 65' in width.</del>								
<sup>3</sup> 2. One or two story residential buildings and decks attached to those buildings may be built to 15' from the rear property line; provided, that any portion of the structure located closer than 25' to the rear property line does not exceed 50% of the lot width.								
<sup>4</sup> 3. May be reduced for zones not subject to the Resource Protection Overlay when a minimum of 350 sf of open yard area per unit is provided, see Section 10-40.30.030(H).								
<sup>5</sup> 4. Building height can be exceeded with approval of a Conditional Use Permit.								

<b>Table 10-40.30.030.C. Residential Zones – Building Form and Property Development Standards.</b>							
	<b>Residential Zones</b>						
	RR	ER	R1	R1N	MR	HR	MH
<sup>6</sup> 5.	The maximum number of units for each lot is based on the following:						
<sup>7</sup> 6.	Five-acre minimum where public water supply and public streets are not available to serve the property.						
<sup>8</sup> 7.	Where public water supply and public streets are not available to serve the property a minimum lot width of 200' and lot depth of 250' are required.						
<sup>9</sup> 8.	Within a Planned Residential Development the minimum width and depth of a lot may vary based on the minimum lot standards applicable to the building types selected for application within a Planned Residential Development (See Section 10-40.60.280, Planned Residential Development).						
<sup>10</sup> 9.	Lot width measured at the setback line.						
<sup>11</sup> 10.	On lots greater than 9,000 sf: 70' minimum width on interior lots, 75' minimum width on corner lots and 100' minimum depth on all lots.						
<sup>12</sup> 11.	Any required common open space as required in Division 10-50.110, Specific to Building Types, and areas set aside for resource preservation such as floodplains, slopes and forests (Division 10-50.90, Resource Protection Standards) may be used to satisfy this standard. In this context, "open space" includes active and passive recreation uses, landscape areas, and community gardens.						
<b>Key</b>							
-- Not Applicable							

Section 9. Amend Title 10 FLAGSTAFF ZONING CODE, Section 10-40.30.030 Residential Zones, D. Miscellaneous Requirements – All Residential Zones., as follows:

**D. Miscellaneous Requirements – All Residential Zones.**

- ~~1. Building form standards may be modified (reduced or exceeded) by the Director with the application of the clustered, affordable, or planned residential development; provided, that such application is consistent with the General Plan.~~
- ~~2. Land subdivided or developed within each residential zone shall be served by public water and sewer facilities, except for five-acre lots in the RR zone unless required by the Subdivision Regulations, City Code Title 11.~~
1. In accordance with Title 11 Subdivision and Land Split Regulations, of the City Code, except as specified in the RR zone (Section 10-40.30.030.E):
  - a. all land subdivided or split into lots or parcels shall abut a public right-of-way or private street tract; and

- b. Water and sewer infrastructure shall be provided to each lot or parcel when required.
- ~~3.~~ 2. Temporary uses are permitted in compliance with Section 10-20.40.150, Temporary Use Permits.
- 3. Accessory Uses:
  - a. An Accessory Dwelling Unit (ADU) use is allowed in all residential zones.
  - b. All other accessory uses are allowed in accordance with section 10-40.60.025.
- ~~4. The cultivation of vegetable gardens for home use is permitted in all residential zones.~~
- 4. Accessory structures:
  - a. An Accessory Dwelling Unit (ADU) structure shall comply with section 10-40.60.030.
  - b. All other accessory structures are allowed in accordance with section 10-40.60.020.

Section 10. Amend Title 10 FLAGSTAFF ZONING CODE, Section 10-40.30.030 Residential Zones, to amend Subsection E. Miscellaneous Requirements – RR Zone., as follows:

E. Miscellaneous Requirements – RR Zone.

- ~~1. Five-acre parcels shall have frontage on either a public right-of-way or an access easement approved by the City Engineer.~~
- ~~2. One-acre parcels shall have frontage on either a public or private street improved with a paved roadway satisfactory to the City Engineer.~~
- 1. In accordance with Title 11 Subdivision and Land Split Regulations, of the City Code:
  - a. all land subdivided or split into lots or parcels less than five acres shall abut a public right-of-way or private street tract;
  - b. all land subdivided into lots or parcels five acres or greater shall abut a public right-of-way or private street tract, or unless otherwise allowed by Title 11 of the City Code, an access easement approved by the City Engineer; and
  - b. Water and sewer infrastructure shall be provided to each lot or parcel when required.

Section 11. Amend Title 10 FLAGSTAFF ZONING CODE, Section 10-40.30.030 Residential Zones, Subsection F. Miscellaneous Requirements – R1 Zone., as follows:

F. Miscellaneous Requirements – RR, ER, and R1 Zone.

1. ~~No more than one single-family dwelling shall be permitted on each lot, plus such accessory uses, as are related, incidental, and not detrimental to the residential environment. (Refer to subsection (F)(2) of this section for exceptions.)~~

Unless otherwise allowed as part of a Planned Residential Development (PRD), only one single-family dwelling unit, or a single-family dwelling unit with an Accessory Dwelling Unit (ADU), is allowed a lot or parcel.

2. ~~Clustered development shall be allowed in planned residential and co-housing developments~~
3. ~~Each lot shall have frontage on a dedicated public street.~~

Section 12. Amend Title 10 FLAGSTAFF ZONING CODE, Section 10-40.30.030 Residential Zones, Subsection G. Miscellaneous Requirements – MR and HR Zone., as follows:

G. Miscellaneous Requirements – MR and HR Zone.

1. ~~Each lot shall have frontage on a dedicated public street.~~
2. 1. Common open space for other building types not specifically listed in Division 10-50.110, Specific to Building Types, such as an apartment complex, shall be provided based on the following standards:

Table <del>10-40.30.030.A</del> 10-40.30.030.G: Common Open Space Requirements	
Area <del>Area</del> <sup>1</sup>	15% of gross lot area; at least one open space area shall be no less than 400 sq. ft.
Width	15' min.
Depth	15' min.
No private open space is required	
<b>End Notes</b>	
± 1. Roof decks and courtyards <del>may be</del> are included in the open space area calculation, but not driveways or vehicle parking areas.	

3. 2. In addition to the 15 percent open space requirement established in ~~subsection (C) of this section~~ Table 10-40.30.030.C., ~~Building Form Standards,~~ residential projects over 50 units or more ~~are also required to~~ shall provide a minimum of five percent civic space. (See Section ~~10-30.60.090 (B)(1)~~ 10-30.60.090, Civic or Public Space Requirement.)

Section 13.

Amend Title 10 FLAGSTAFF ZONING CODE, Section 10-40.30.040 Commercial Zones, Subsection B. Commercial Zones – Allowed Uses., as follows – including adding grid lines and shading:

**10-40.30.040 Commercial Zones**

B. Commercial Zones – Allowed Uses. **The allowed land uses of each of the Commercial zones are shown in Table 10-40.30.040.B.**

<b>Table 10-40.30.040.B.</b>						
<b>Commercial Zones – Allowed Uses</b>						
Land Use <sup>1</sup>	Specific Use Regulations	Commercial Zones				
		SC	CC	HC	CS	CB
<b>Industrial, Manufacturing, Processing and Wholesaling</b>						
Carpenter or Cabinet Shops		--	--	--	P	-
Flammable Liquid, Gas, and Bulk Fuel – Storage and Sale		--	--	UP	--	
Manufacturing and Processing – Incidental		--	P	P	P	P
Machine or Metal Working Shops		--	--	--	P	--
Micro-brewery or Micro-distillery	10-40.60.240	--	P	P	P	P
Mini-storage Warehousing	10-40.60.250	--	--	UP <sup>2</sup>	P	--
Research and Development Uses	10-40.60.300	--	--	UP	--	--
Transportation or Trucking Yards		--	--	--	P	--
Vehicle Towing/Impound Yard		--	--	p <sup>4</sup>	--	--
Warehousing	10-40.60.330	--	p <sup>3</sup>	p <sup>3</sup>	--	p <sup>3</sup>
Wholesaling and Distribution		--	--	--	P	p <sup>3</sup>
<b>Recreation, Education and Assembly</b>						
Automobile, Go-kart, Miniature Automobile Racing	10-40.60.080	--	UP	UP	--	--
Commercial Campgrounds	10-40.60.130	--	--	P	--	--
Commercial Recreation Facilities, Indoor		P	P	P	--	P

**Table 10-40.30.040.B.**  
**Commercial Zones – Allowed Uses**

Land Use <sup>1</sup>	Specific Use Regulations	Commercial Zones				
		SC	CC	HC	CS	CB
Commercial Recreation Facilities, Outdoor	10-40.60.270	--	UP	UP	--	--
Libraries, Museums		P	P	P	P	P
Meeting Facilities, Public or Private	10-40.60.230					
Regional		--	P/UP <sup>5</sup>	P/UP <sup>5</sup>	P/UP <sup>5</sup>	P/UP <sup>5</sup>
Neighborhood		P <sup>5</sup>	P/UP <sup>5</sup>	--	--	--
Outdoor Public Uses, General		P	P	P	--	--
Places of Worship		P/UP <sup>10</sup>	P/UP <sup>10</sup>	P/UP <sup>10</sup>	P/UP <sup>10</sup>	P/UP <sup>10</sup>
Schools – Public and Charter		P	P	P	P	P
Schools – Private		P	P	P	P	P
Theaters		P	P	P	--	P
Trade Schools		--	UP	UP	UP	UP
<b>Residential<sup>7</sup></b>						
<del>Accessory Building and Structures</del>	<del>10-40.60.020</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>
<del>Accessory Dwelling Units</del>	<del>10-40.60.030</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>
Co-housing	10-40.60.120	p <sup>6</sup>	p <sup>6</sup>	p <sup>6</sup>	p <sup>6</sup>	p <sup>6</sup>
Congregate Care Facilities		UP	P	P	P	UP
Day Care, Centers	10-40.60.150.B	P	P	P	UP	UP
Day Care, Home	10-40.60.150.A	P	P	P	P	P
Dormitories		UP <sup>6</sup>	UP <sup>6</sup>	UP <sup>6</sup>	UP <sup>6</sup>	UP <sup>6</sup>
Development, Duplex		p <sup>6</sup>	p <sup>6,9</sup>	p <sup>6</sup>	p <sup>6</sup>	p <sup>6</sup>
<del>Dwelling: Multiple-Family Development, Multiple-Family</del>		p <sup>6</sup>	p <sup>6</sup>	p <sup>6</sup>	p <sup>6</sup>	p <sup>6</sup>
<del>Dwelling: Single-Family Development, Single-Family</del>		--	p <sup>9</sup>	--	--	--
Fraternities and Sororities		UP <sup>6</sup>	UP <sup>6</sup>	UP <sup>6</sup>	UP <sup>6</sup>	UP <sup>6</sup>
Group Homes		p <sup>6</sup>	p <sup>6</sup>	p <sup>6</sup>	p <sup>6</sup>	p <sup>6</sup>
Home Occupation	10-40.60.180	p <sup>6</sup>	p <sup>6</sup>	p <sup>6</sup>	p <sup>6</sup>	p <sup>6</sup>

**Table 10-40.30.040.B.**

**Commercial Zones – Allowed Uses**

Land Use <sup>1</sup>	Specific Use Regulations	Commercial Zones				
		SC	CC	HC	CS	CB
<b>Institutional Residential</b>						
Custodial Care Facilities		p <sup>8</sup>	p <sup>8</sup>	p <sup>8</sup>	p <sup>8</sup>	p <sup>8</sup>
Homeless Shelters	10-40.60.190					
Emergency Shelters		p <sup>8</sup>	p <sup>8</sup>	p <sup>8</sup>	p <sup>8</sup>	p <sup>8</sup>
Short Term Housing		p <sup>8</sup>	p <sup>8</sup>	p <sup>8</sup>	p <sup>8</sup>	p <sup>8</sup>
Transitional Housing		P	P	P	P	P
Nursing Homes		UP	UP	UP	UP	UP
Sheltered Care Homes		P	P	P	P	P
Live/Work	10-40.60.200	P	P	P	P	P
Planned Residential Development	10-40.60.280	P/UP	P/UP <sup>9</sup>	UP	UP	UP
Residence for Owner, Caretaker or Manager		p <sup>6</sup>	p <sup>6</sup>	p <sup>6</sup>	p <sup>6</sup>	p <sup>6</sup>
Rooming and Boarding Facilities		UP <sup>6</sup>	UP <sup>6</sup>	UP <sup>6</sup>	UP <sup>6</sup>	UP <sup>6</sup>
Single Room Occupancy		UP	--	P	--	P
<b>Retail Trade</b>						
Bars/Taverns		P	P	P	P	P
Crematorium		P	P	P	P	--
Drive-through Retail	10-40.60.160	P	P	P	--	--
Drive-through Service		P	P	P	--	--
Farmers Markets and Flea Markets		--	P	P	P	P
General Retail Business		P	P	P	P	P
Mixed Use	10-40.60.260	P	P	P	P	P
Restaurant or Cafe		P	P	P	P	P
<b>Services</b>						
Bed and Breakfast Establishments	10-40.60.110	P	P	P	P	P
Cemeteries		UP	UP	UP	UP	--
Dry-cleaning, Processing		P	P	P	--	--

**Table 10-40.30.040.B.**  
**Commercial Zones – Allowed Uses**

Land Use <sup>1</sup>	Specific Use Regulations	Commercial Zones				
		SC	CC	HC	CS	CB
Equipment Rental Yard		--	UP	P	P	--
Funeral Homes, Chapels and Mortuaries		--	P	P	--	UP
General Services		P	P	P	P	P
Hospital		UP	UP	UP	UP	UP
<b>Lodging</b>		<b>UP</b>	<b>--</b>	<b>P</b>	<b>--</b>	<b>P</b>
Medical Marijuana Dispensary	10-40.60.220	--	--	P	--	--
Office		P	P	P	P	P
Public Services						
Public Services Major		--	--	--	--	--
Public Services Minor		P	P	P	P	P
<b>Travel Accommodations</b>		<b>UP</b>	<b>--</b>	<b>P</b>	<b>--</b>	<b>P</b>
Emergency Services		UP	UP	UP	UP	UP
Veterinary Clinics		P	P	P	P	--
Veterinary Hospitals		--	--	UP	UP	--
<b>Telecommunication Facilities</b>						
AM Broadcasting Facilities	10-40.60.320	UP	UP	UP	UP	UP
Antenna-Supporting Structure	10-40.60.320	UP	UP	UP	UP	UP
Attached Telecommunication Facilities	10-40.60.320	P	P	P	P	P
Collocation Facility	10-40.60.320	P	P	P	P	P
FM/DTV/Low Wattage AM Broadcasting Facilities	10-40.60.320	P	P	P	P	P
Stealth Telecommunication Facilities	10-40.60.320	P	P	P	P	P
<b>Transportation and Infrastructure</b>						
Accessory Wind Energy Systems	10-40.60.040	P	P	P	P	P
Garages, Off-Street		P	P	P	P	P
Parking Lots, Off-Street	10-50.80	P	P	P	P	P

**Table 10-40.30.040.B.**  
**Commercial Zones – Allowed Uses**

Land Use <sup>1</sup>	Specific Use Regulations	Commercial Zones				
		SC	CC	HC	CS	CB
Passenger Transportation Facilities		--	--	UP	UP	UP
<b>Urban Agriculture</b>						
Community Gardens	10-40.60.140	P	P	P	P	P
Food Production		--	--	UP <sup>2</sup>	UP <sup>2</sup>	--
<b>Vehicle Sales and Services</b>						
Automobile Service Station and Convenience Store	10-40.60.090	P	P	P	P	--
Automobile and Trailer Rental		--	--	P	P	--
Automobile/Vehicle Sales and Service, New and Used		--	UP	P	P	UP
Automobile/Vehicle Repair Garages – Minor	10-40.60.100	--	UP	P	P	--
Automobile/Vehicle Repair Garages – Major	10-40.60.100	--	--	P	P	--
Car Washes		P	P	P	--	--
Mobile Homes and Recreational Vehicles, Sales, and Service		--	--	P	--	--
<b>End Notes</b>						
<sup>1</sup> <b>1.</b> A definition of each listed use type is in Chapter 10-80, Definitions.						
<sup>2</sup> <b>2.</b> Only allowed on lots that do not have highway frontage or behind existing/new commercial uses.						
<sup>3</sup> <b>3.</b> Only permitted when incidental to permitted use.						
<sup>4</sup> <b>4.</b> This use shall be screened. See Division 10-50.50, Fences and Screening, for fencing and screening requirements.						
<sup>5</sup> <b>5.</b> A conditional use permit is required if liquor is sold or if facilities exceed 250 seats.						
<sup>6</sup> <b>6.</b> Residential uses with more than two units are allowed as part of a mixed-use development located above or behind the commercial uses <b>subject to the development standards established in the HR zone</b> and as a planned residential development (Section 10-40.60.280). <b>New developments that include residential uses with more than two units shall provide a minimum of 15% of the gross lot area in the form of common open space.</b>						

Table 10-40.30.040.B. Commercial Zones – Allowed Uses						
Land Use <sup>1</sup>	Specific Use Regulations	Commercial Zones				
		SC	CC	HC	CS	CB
<sup>7</sup> 7.	Residential uses in the CC, HC, CS and CB zones, and residential uses and properties listed on the National Historic Registry or within the Landmarks overlay zone existing prior to the effective date of this Zoning Code are considered legal, nonconforming uses. Residential uses in the CC, HC, CS and CB zones shall be subject to the development standards established in the HR zone.					
<sup>8</sup> 8.	Conditional use permit is required if proximity between shelter facilities is less than one-quarter mile.					
<sup>9</sup> 9.	Single-family and duplex building types (see Division 10-50.110) are permitted by right on lots ≤9,000 sf existing prior to November 1, 2011, subject to the building placement and building form requirements of the MR zone. A conditional use permit is required for all other building types and multifamily residential uses with three or more units regardless of the size of the lot or parcel.					
<sup>10</sup> 10.	A conditional use permit is required if the facility exceeds 250 seats and/or if the facility is located adjacent to a toxic use.					
<b>Key</b>						
P = Permitted Use						
UP = Conditional Use Permit Required						
-- = Use Not Allowed						

Section 14. Amend Title 10 FLAGSTAFF ZONING CODE, Section 10-40.30.040 Commercial Zones, Subsection C. Commercial Zones – Building Form Standards., as follows – including grid lines and shading:

Section 10-40.30.040 Commercial Zones

C. Commercial Zones – Building Form **and Property Development** Standards. **The building form and property development standards shown in Table 10-40.30.040.C. shall apply to all property with the corresponding commercial zones.**

Table 10-40.30.040.C. Commercial Zones – Building Form and Property Development Standards					
<del>Building Form Standards-</del>	Commercial Zones				
	SC	CC	HC	CS	CB
<b>Building Placement Requirements</b>					
<b>Setback from property line</b>					
Front	15' min. <sup>1</sup>	0'	0' <sup>2</sup>	0'	0'

(See also Also see Section 10-50.60.040.B)					
Side					
Adjacent to Residential Use	----- 15' min. <sup>7</sup> 15' min. <sup>6</sup> -----				
<del>All Other Uses</del>	0'	-	-	-	-
Exterior Street Side (min.)	10' <sup>3</sup>	10' <sup>3</sup>	10' <sup>3</sup>	10' <sup>3</sup>	0'
All Other sides	----- 0' -----				
Rear					
Adjacent to Residential	----- 15' min. -----				
All Other rears	----- 0' -----				
<b>Building Form Requirements</b>					
Building Height (max.)	35'	60' <sup>14,8</sup> 60' <sup>4,7</sup>	60' <sup>14</sup>	60' <sup>14</sup>	60' <sup>14</sup>
Gross FAR (max.)	0.8 <sup>5</sup> 0.8	2.5 <sup>5</sup> 2.5	3.0 <sup>5</sup> 3.0	2.0 <sup>5</sup> 2.0	No max.
<b>Density Requirements</b>					
Gross Density (units/acre) (max.) (Not Applicable to Mixed Use)	13	----- Refer to HR Zone 29 -----			
<b>Lot Requirements</b>					
Area (Gross sf) (min.) <sup>6</sup> (min.) <sup>5</sup>	6,000	9,000	9,000	9,000	7,000
Width (min.) <sup>6</sup> (min.) <sup>5</sup>	50'	60'	60'	60'	50'
Depth (min.) <sup>6</sup> (min.) <sup>5</sup>	100'	100'	100'	100'	--
<b>Open Space</b>					
Developments with Two or More Dwelling Units	----- 15 percent of the net lot area -----				
<b>Other Requirements</b>					
Fences and Screening	See Division 10-50.50				
Landscaping	See Division 10-50.60				
Outdoor Lighting	See Division 10-50.70				
Parking	See Division 10-50.80				
Signs	See Division 10-50.100				
<b>End Notes</b>					
<sup>1</sup> 1. Front setbacks shall be equal to 15' or match adjacent residential development, whichever is less.					
<sup>2</sup> 2. No front setback required, except when required by the adoption of building setback lines along specified streets.					
<sup>3</sup> 3. Setback may be reduced to 5' min., if the landscape street buffer is reduced in accordance with Section 10-50.60.040(B), Nonresidential Zone Buffers.					
<sup>4</sup> 4. Conditional use permit required for structures over 60' in height.					
<del><sup>5</sup> 5. Excludes residential square feet (gross) when above or behind commercial uses.</del>					
<sup>6</sup> 5. Within a planned residential development development, the minimum area, width, and depth of a lot may vary based on the minimum lot standards applicable to the building types selected for application within a planned residential development (see Section 10-40.60.280, Planned Residential Development).					
<sup>7</sup> 6. Except that the setback from a proposed residential use in a commercial zone to other residential uses shall be 5' min.					

**7.** Single-family dwellings and duplexes in the CC zone shall be limited to a maximum height of 35 feet consistent with the height standard for the MR zone.

Section 15. Amend Title 10 FLAGSTAFF ZONING CODE, Section 10-40.30.040 Commercial Zones, Subsection D. Miscellaneous Requirements – All Commercial Zones., as follows:

D. Miscellaneous Requirements – All Commercial Zones.

~~1.—Storage shall be limited to accessory storage of commodities sold at retail on the premises and shall be within an enclosed building, except as permitted in Section 10-40.60.020(E), Permanent Outdoor Accessory Uses.~~

~~2.—Every commercial zoned lot shall have frontage on a public street.~~

**1. In accordance with Title 11 Subdivision and Land Split Regulations, and Title 12 Engineering Design Standards and Specifications for New Infrastructure, of the City Code, all land subdivided into lots or parcels shall abut a public right-of-way or private street tract, and have water and sewer infrastructure service.**

~~3.~~ **2.** All products incidental to a permitted use which are manufactured or processed on the premises shall be sold on the premises and at retail only, and shall be further limited as follows:

a. In the CC and CB zones, such activity shall be restricted to not over 25 percent of ground floor area of the building or buildings.

b. In the CS zone, such activity shall be restricted to not over 50 percent of ground floor area of the building or buildings.

c. In the CC and CB zones, not more than five employees shall be engaged in such activity.

d. In the CS zone, not more than 10 employees shall be engaged in such activity.

4. Every development in the commercial zones shall have a refuse storage area constructed and provided in accordance with City standards.

5. Temporary uses shall be permitted in compliance with Section 10-20.40.150, Temporary Use Permits.

~~6.—The cultivation of vegetable gardens for home use is allowed in all commercial zones where residential uses are permitted.~~

**6. Accessory Uses:**

a. **An Accessory Dwelling Unit (ADU) use is allowed in commercial zones on a lot containing a single-family dwelling unit as the primary use.**

b. **All other accessory uses are allowed in accordance with section 10-40.60.025.**

**7. Accessory structures:**

- a. An Accessory Dwelling Unit (ADU) structure that complies with section 10-40.60.030. is allowed in Community Commercial (CC) zone on a lot containing a detached single-family dwelling.
- b. All other accessory structures are allowed in accordance with section 10-40.60.020.

Section 16.

Amend Title 10 FLAGSTAFF ZONING CODE, Section 10-40.30.050 Industrial Zones, subsection B. Industrial Zones – Allowed Uses, Table 10-40.30.050.B. Industrial Zones – Allowed Uses, to add Outdoor Storage under the use category Industrial, Manufacturing, Processing and Wholesaling, in alphabetical order, and to amend the Warehousing Specific Use Regulations, as follows:

**10-40.30.050 Industrial Zones**

**B. Industrial Zones – Allowed Uses.** The allowed land uses of each of the Industrial zones are shown in Table 10-40.30.050.B.

Table 10-40.30.050.B. Industrial Zones – Allowed Uses						
Land Use <sup>1</sup>	Specific Use Regulations	Industrial Zones				
		RD	LI	LI-O	HI	HI-O
Industrial, Manufacturing, Processing and Wholesaling						
Outdoor Storage	10-40.60.275.	--	--	--	P	P
Warehousing	<del>10-40.60.330</del>	--	P	P	P	P

Section 17.

Amend Title 10 FLAGSTAFF ZONING CODE, Section 10-40.30.050 Industrial Zones, Subsection D. Miscellaneous Requirements – All Industrial Zones., as follows:

- D. Miscellaneous Requirements – All Industrial Zones. ~~Temporary uses shall be permitted in compliance with Section 10-20.40.150, Temporary Use Permits.~~
  - 1. In accordance with Title 11 Subdivision and Land Split Regulations, and Title 12 Engineering Design Standards and Specifications for New Infrastructure, of the City Code, all land subdivided into lots or parcels shall abut a public right-of-way or private street tract, and have water and sewer infrastructure service.
  - 2. Accessory uses are allowed in accordance with section 10-40.60.025.
  - 3. Accessory structures are allowed in accordance with section 10-40.60.020.

Section 18. Amend Title 10 FLAGSTAFF ZONING CODE, 10-40.30.060 Public and Open Space Zones, Subsection B. Public and Open Space Zones – Allowed Uses, as follows – including table format, grid lines and shading:

**10-40.30.060 Public and Open Space Zones**

**B. Public and Open Space Zones – Allowed Uses. The allowed land uses of each of the Public and Open Space zones are shown in Table 10-40.30.060.B**

<b>Table 10-40.30.060.B. Public and Open Space Zones – Allowed Uses</b>				
<b>Land-Use<sup>1</sup> Land Use</b>	<b>Specific Use Regulations</b>	<b>Public and Open Space Zones</b>		
		<b>PF<sup>2</sup> PF</b>	<b>PLF</b>	<b>POS</b>
<b>Industrial, Manufacturing, Processing and Wholesaling</b>				
Quarrying Operations	10-40.60.280	UP	--	--
<b>Ranching, Forestry and Animal Keeping</b>				
Forestry		--	P	--
Ranching		--	P	--
<b>Recreation, Education and Assembly</b>				
Commercial Campgrounds	10-40.60.130	UP	--	--
Commercial Recreation Facilities, Indoor		UP	--	--
Commercial Recreation Facilities, Outdoor	10-40.60.270	UP	--	--
Libraries, Museums		P	--	--
Outdoor Public Uses, General		P	--	--
Open Spaces		P	P	P
Parks or Recreation Facilities				
Active Recreation		P	--	--
<del>Passive Recreation<sup>3</sup></del> <b>Passive Recreation</b>		P	P	P
Schools – Public and Charter		P	--	--
Schools – Private		UP	--	--
Universities and Colleges		P	--	--
<b>Residential</b>				
<del>Accessory Building and Structures</del>	<del>10-40.60.020</del>	<del>P</del>	<del>--</del>	<del>--</del>
<del>Congregate Care Facilities</del>		<del>P</del>	<del>--</del>	<del>--</del>

**Table 10-40.30.060.B.  
Public and Open Space Zones – Allowed Uses**

<b>Land-Use<sup>1</sup> Land Use</b>	<b>Specific Use Regulations</b>	<b>Public and Open Space Zones</b>		
		<b>PF<sup>2</sup> PF</b>	<b>PLF</b>	<b>POS</b>
Employee Housing		P	--	--
<b>Institutional Residential</b>				
<b>Congregate Care Facilities</b>		<b>P</b>	<b>--</b>	<b>--</b>
Convents or Monasteries		UP	--	--
Custodial Care Facilities		UP	--	--
Homeless Shelters	10-40.60.190			
Emergency Shelters		UP	--	--
Short Term Housing		UP	--	--
Transitional Housing		UP	--	--
Nursing Homes		UP	--	--
Sheltered Care Homes		UP	--	--
<b>Retail Trade</b>				
Farmers Markets and Flea Markets		P	--	--
<b>Services</b>				
Cemeteries		UP	--	--
Governmental Offices		P	--	--
Public Services				
Public Services Major		UP	--	--
Public Services Minor		UP	UP	--
Emergency Services		UP	--	--
<b>Telecommunication Facilities</b>				
AM Broadcasting Facilities	10-40.60.310	UP	UP	--
Antenna-supporting Structure	10-40.60.310	UP	UP	--
Attached Telecommunication Facilities	10-40.60.310	P	P	--
Collocation Facility	10-40.60.310	P	P	--
FM/DTV/Low Wattage AM Broadcasting Facilities	10-40.60.310	P	UP	--
Stealth Telecommunication Facilities	10-40.60.310	P	P	--
<b>Transportation and Infrastructure</b>				
Accessory Wind Energy Systems	10-40.60.040	P	P	--

<b>Table 10-40.30.060.B. Public and Open Space Zones – Allowed Uses</b>				
<del>Land Use</del> <sup>1</sup> Land Use	Specific Use Regulations	Public and Open Space Zones		
		<del>PF</del> <sup>2</sup> PF	PLF	POS
Wind Energy Production Facility		UP	P	--
Airports/Landing Strips, Heliports, or Helistops	10-40.60.060	UP	--	--
Government Service/Maintenance Facilities		P	--	--
Municipal Airports		P	--	--
<b>Urban Agriculture</b>				
Community Gardens	10-40.60.140	P	--	--
<b>End Notes</b>				
<del><sup>1</sup>A definition of each listed use type is in Chapter 10-80, Definitions.</del>				
<del><sup>2</sup>A change in any allowed use to another allowed use shall be noticed in accordance with the requirements of Section 10-20.30.080, Notice of Public Hearings.</del>				
<del><sup>3</sup>Includes parking areas and restroom facilities.</del>				
<b>Key</b>				
<b>P = Permitted Use</b>				
<b>UP = Conditional Use Permit Required</b>				
<b>-- = Use Not Allowed</b>				

Section 19. Amend Title 10 FLAGSTAFF ZONING CODE, 10-40.30.060 Public and Open Space Zones, to add Subsection D. Miscellaneous Requirements – Public and Open Space Zones., as follows:

**10-40.30.060 Public and Open Space Zones**

**D. Miscellaneous Requirements – Public and Open Space Zones.**

1. In accordance with Title 11 Subdivision and Land Split Regulations, and Title 12 Engineering Design Standards and Specifications for New Infrastructure, of the City Code, all land subdivided shall: a) front/abut a public right-of-way or private street tract with an improved street; and b) have water and sewer infrastructure serving each lot or parcel.
2. Accessory uses are allowed in accordance with section 10-40.60.025.
3. Accessory structures are allowed in accordance with section 10-40.60.020.

Section 20. Amend Title 10 FLAGSTAFF ZONING CODE, Section 10-40.40.100 T6 Downtown (T6) Standards, Subsection C. Building Placement, **Miscellaneous**, to delete the phrase “stucco or”, as follows:

**10-40.40.100 T6 Downtown (T6) Standards**

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**C. Building Placement**

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**Miscellaneous**

---

Street facades must be built to BTL within 50’ of each street corner. E

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The entire BTL must be defined by a building or a 24" to 48" high ~~stucco or~~ masonry wall.

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Loading docks, overhead doors and other service entries shall not be located on front or street-facing facades.

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Section 21. Amend Title 10 FLAGSTAFF ZONING CODE, Section 10-40.60.020 Accessory Buildings and Structures, as follows:

**10-40.60.020 Accessory ~~Buildings and~~ Structures**

~~A. Applicability. Accessory buildings and structures shall be permitted in all zones in compliance with this section, provided each is incidental and subordinate to the principal use or structure. There must be a primary use established and either a principal structure on the parcel or a building permit for a principal structure issued prior to, or simultaneously with, the issuance of a building permit for an accessory building or structure. Children’s play houses and tree houses less than 200 square feet in floor area are not considered accessory structures and do not require a building permit. Sheds less than or equal to 200 square feet in floor area also do not require a building permit.~~

**A. Allowance.**

1. An Accessory Dwelling Unit (ADU) structure is allowed in accordance with Sections 10-40.30.030.D. and 10-40.30.040.D.
2. All other accessory structures are allowed in all zones in compliance with this section.

~~B. Uses.~~

- ~~1. An accessory structure shall be used in compliance with the permitted uses of the zone within which it is located and, if applicable, the home-occupation regulations in Section 10-40.60.180, Home Occupations.~~
- ~~2. The use of accessory buildings or structures shall be incidental to the primary use and shall not alter the character of the primary use.~~
- ~~3. Temporary, occasional, seasonal or periodic uses in connection with established retail stores or shopping centers, such as outdoor garden centers, sidewalk sales, or sales promotions, are considered accessory uses and not subject to a temporary use permit in compliance with Section 10-20.40.150, Temporary Use Permits.~~

**C. B Approvals and Standards.**

1. The property owner shall obtain permits and approvals for an accessory structure in accordance with Division 10-20.40: Permits and Approvals.
2. An accessory structure shall not be allowed on a lot or parcel without a primary structure on the same property.
3. A primary structure shall be established prior to the issuance of a permit for an accessory structure, except that a permit for an accessory structure may be issued concurrent, or after, a permit is issued for the primary structure.
- ~~1.~~ 4. No manufactured home, mobile home, trailer, semi-trailer, bus, recreational vehicle, boxcar or storage container shall be used as an accessory ~~buildings or~~ structure, except as permitted in subsection ~~(D)~~ C. of this section.
- ~~2. Accessory buildings and structures shall be governed by the lot coverage, floor area ratio and setback requirements of the zone in which they are located, except as provided below.~~
5. Accessory Dwelling Units shall comply with Section 10-40.60.030.
6. Permanent Storage Structures shall comply with subsection C. of this section.
7. All other accessory structures shall comply with the property development standards of the property's zone, except as specified below:
  - a. On any residential lot less than one acre, the total floor area of all accessory ~~buildings and~~ structures ~~(including ADUs {Section 10-40.60.030})~~ shall be less than that of the lot's or parcel's ~~principal building(s)~~ primary structure ~~on the site.~~
  - b. The distance between a ~~principal primary~~ structure and an accessory structure shall ~~be established by~~ comply with the Building Code. ~~This distance may vary by occupancy type.~~
  - ~~c. Accessory buildings and structures are not permitted in any exterior side setback and shall not occupy any portion of a required setback except as provided in Table 10-40.60.020.A, Accessory Structure Height and Location Standards.~~
  - c. An accessory structure is not allowed in any Street Side Yard.

~~d. One-story accessory structure(s) no more than 16 feet in height may be constructed on any lot no closer than five feet from the rear or interior side property line, except that on corner lots no accessory structure shall be permitted in any exterior yard.~~

d. Allowed Encroachments into the required setbacks in addition to Section 10-50.40.020. A non-livable structure (e.g., garage, workshop, carport, shed, greenhouse, etc.) may encroachment into the property's required zone setbacks in accordance with Table 10-40.60.020.B.7.d.

Table 10-40.60.020.B.7.d. Allowed Accessory Structure Encroachments into Setbacks	
Yard of Encroachment	Minimum Setback
Rear yard abutting a public alley right-of-way or private alley tract:	0 feet.
Rear yard abutting another lot or parcel:	5 feet.
Interior side yard:	5 feet.
Street side yard:	No encroachment allowed.
Front Yard:	No encroachment allowed.

~~e. Encroachments into minimum required setbacks shall be in compliance with Division 10-50.40, Encroachments.~~

e. The maximum height of an accessory structure shall comply with Table 10-40.60.020.B.7.e.

Table 10-40.60.020.B.7.e. Allowed Height of Accessory Structure	
Location of Accessory Structure	Setback Requirement
Within the building envelope:	24 feet.
All other location allowed pursuant to Table 10-40.60.020.B.7.d.	16 feet.

~~f. The maximum height of all accessory buildings and structures shall be 24 feet except as provided in Table 10-40.60.020.A, Accessory Structure~~

~~Height and Location Standards, unless the zone or overlay zone has a more restrictive height limit.~~

~~Table 10-40.60.020.A: Accessory Structure Height and Location Standards~~

<del>Location</del>	<del>Max. Height (feet)</del>
<del>Non-livable structures (e.g., garage, workshop, carport, shed, greenhouse)</del>	
<del>Within Buildable Area</del>	<del>24'</del>
<del>Min. 5' Setback to Rear and Interior Side Property Line, and 0' Setback to Rear Property Line with Alley</del>	<del>16'</del>
<del>Livable structures (e.g., ADU, studio or home office)<sup>2</sup></del>	
<del>Within Buildable Area</del>	<del>24'</del>
<del>Min. 5' Setback to Rear and Interior Side Property Line</del>	<del>16'</del>
<del>End Notes</del>	
<del><sup>1</sup> Structures located on property lines shall be required to comply with applicable City Building Code and Fire Code requirements.</del>	
<del><sup>2</sup> These livable structures may be located above a garage or other non-livable space.</del>	

~~D.—Temporary and Permanent Storage Containers.~~

~~1.—Residential Zones. The following standards apply to the temporary and permanent use of storage containers located in all residential zones.~~

~~a.—Temporary Use.~~

~~(1) In the case of fire, flood, or other emergency situation, storage containers may be placed, stored, or used for temporary storage on property zoned for residential use, provided the owner has applied for a temporary use permit from the Director within three days of the emergency. The duration of the temporary storage use shall be limited to a maximum of 90 days within a calendar year, with the~~

~~option to renew the permit one time, for each period not to exceed 90 days.~~

~~(2) Storage containers may be placed, stored, or used for temporary storage on property zoned for residential use for minor remodeling projects for which a building permit is not required provided the owner has obtained a temporary use permit from the Director. The duration of the temporary storage use shall be limited to a maximum of 90 days within a calendar year, with the option to renew the permit one time, for a period not to exceed 90 days.~~

~~(3) Storage containers may be placed, stored, or used for temporary storage on property zoned for residential use if a building permit has been obtained from the City for major/new construction involving principal or accessory structures located on the subject property. The use shall be permitted for the time period beginning with issuance of the building permit, and expiring seven days after the issuance of a certificate of occupancy, at which time the storage container shall be removed.~~

~~(4) Storage containers used for temporary storage may be placed within the rear, side, or front setback, and shall not be placed in the public right-of-way unless a right-of-way encroachment permit has been obtained from the City Engineering Section.~~

~~(5) Storage containers may be temporarily placed on property zoned for residential use for the purpose of loading or unloading household contents while in the process of moving, for a period not to exceed 14 days.~~

~~(6) Storage containers mounted on trailers/wheels shall not be permitted for temporary use in residential zones.~~

~~(7) No signs shall be permitted to be placed on any part of a storage container, except for a sign displaying the name of the storage container business which shall be limited to a sign area of six square feet.~~

~~b. Permanent Use. Storage containers may be permitted for permanent use in residential zones, subject to approval of a minor improvement permit (see Section 10-20.40.080) and the following conditions:~~

~~(1) The storage container shall be considered an accessory structure to the principal structure. No storage containers are permitted on vacant or undeveloped lots where no primary structure or use has been established;~~

~~(2) Storage containers may only be placed in rear yards and interior side yards in compliance with the standards provided in Table 10-50.40.020.A (Allowed Encroachments into Setbacks, and Heights), and are not permitted in front yards or exterior side yards. Compliance with all applicable regulations of the Zoning Code is required, including lot coverage restrictions;~~

- ~~(3) No more than one storage container is permitted on any residential lot or parcel;~~
- ~~(4) The maximum size for a storage container located on property zoned for residential use shall be Ground floor uses0 square feet;~~
- ~~(5) The maximum height of a storage container used for storage purposes shall be nine feet measured from natural grade to the top of the container;~~
- ~~(6) Storage containers shall be painted a neutral, earth tone, or to match the building by which they are placed;~~
- ~~(7) Storage containers shall be used for storage only, and shall not otherwise be occupied as habitable space. Storage containers shall not be connected to sewer, water or gas service, but may be permitted to have electrical service for lighting/plug-ins;~~
- ~~(8) No signs shall be permitted to be placed on any part of a storage container; and~~
- ~~(9) Storage containers mounted on trailers/wheels shall not be permitted for permanent use in residential zones.~~

~~2. Commercial and Research and Development Zones. The following standards apply to the temporary and permanent use of storage containers located in all commercial and research and development zones.~~

~~a. Temporary Use.~~

- ~~(1) In the case of fire, flood, or other emergency situation, storage containers may be placed, stored, or used for temporary storage on property zoned for commercial or research and development uses, provided the owner has applied for a temporary use permit from the Director. The duration of the temporary storage use shall be limited to a maximum of 120 days within a calendar year, with the option to renew the permit one time at the discretion of the Director, for a period not to exceed 90 days. Storage containers may be placed within the front setback, and shall not be placed in the public right-of-way unless a right-of-way encroachment permit has been obtained from the City Engineering Section.~~
- ~~(2) Storage containers may be placed, stored, or used for temporary storage on property zoned for research and development uses for minor remodeling projects for which a building permit is not required, provided the owner has obtained a temporary use permit from the Director. The duration of the temporary storage use shall be limited to a maximum of 90 days within a calendar year, with the option to renew the permit one time, for a period not to exceed 90 days.~~
- ~~(3) Storage containers may be placed, stored, or used for temporary storage on property zoned for commercial or research and development uses if a building permit has been obtained from the~~

~~City for major/new construction on the subject property. The use shall be permitted for the time period beginning with issuance of the building permit, and expiring seven days after the issuance of a final certificate of occupancy, at which time the storage container shall be removed. Storage containers may be placed within the front setback, and shall not be placed in the public right-of-way unless a right-of-way encroachment permit has been obtained from the City Engineering Section.~~

~~(4) In the case of seasonal sales events, storage containers may be placed, stored, or used for temporary storage on property zoned for commercial or research and development uses, provided the owner has obtained a temporary use permit from the Director. The duration of the temporary storage use during a seasonal sales event shall be limited to a maximum of 120 days within a calendar year, with the option to renew the permit one time by the Director, for a period not to exceed 30 days. Storage containers used for sales events shall be placed in an area that is not visible from the public right-of-way, unless the container is placed in the loading/dock area of the subject business.~~

~~(5) Storage containers mounted on trailers/wheels shall not be permitted for temporary use in commercial and research and development zones.~~

~~(6) No signs shall be permitted to be placed on any part of a storage container, except for a sign displaying the name of the storage container business which shall be limited to a sign area of six square feet.~~

~~b. Permanent Use. Storage containers may be permitted for permanent use in commercial and research and development zones, subject to approval of a minor improvement permit (see Section 10-20.40.080) and the following conditions:~~

~~(1) The storage container shall be considered an accessory structure to the principal structure. No storage containers are permitted on vacant or undeveloped lots where no primary structure or use has been established;~~

~~(2) Storage containers shall only be placed in compliance with all applicable regulations of the Zoning Code, including setbacks, FAR, and lot coverage restrictions;~~

~~(3) Storage containers shall not be placed in parking areas nor in a location where they are visible from public rights-of-way, unless the container is placed in the loading/dock area of the subject business;~~

~~(4) The maximum size for a storage container located on property zoned for commercial or research and development uses shall be 384 square feet;~~

- ~~(5) The maximum height of a storage container used for storage purposes shall be 10 feet measured from natural grade to the top of the container;~~
- ~~(6) Storage containers shall be painted a neutral, earth tone, or to match the primary building near where they are placed;~~
- ~~(7) Storage containers shall be used for storage only, and shall not otherwise be occupied as habitable space. Storage containers shall not be connected to sewer, water or gas service, but may be permitted to have electrical service for lighting/plug-ins;~~
- ~~(8) No signs shall be permitted to be placed on any part of a storage container; and~~
- ~~(9) Storage containers mounted on trailers/wheels shall not be permitted in commercial and research and development zones.~~

~~3. Industrial and Public Lands Zones. The following standards apply to the temporary and permanent use of storage containers located in all Industrial and Public Lands zones.~~

~~a. Temporary Use.~~

- ~~(1) In the case of fire, flood, or other emergency situation, storage containers may be placed, stored, or used for temporary storage on property zoned for industrial or public lands use, provided the owner has applied for a temporary use permit from the Director. The duration of the temporary storage use shall be limited to a maximum of 120 days within a calendar year, with the option to renew the permit one time at the discretion of the Director, for a period not to exceed 90 days.~~
- ~~(2) Storage containers may be placed, stored, or used for temporary storage on property zoned for industrial or public lands use for minor remodeling projects for which a building permit is not required, provided the owner has obtained a temporary use permit from the Director. The duration of the temporary storage use shall be limited to a maximum of 120 days within a calendar year, with the option to renew the permit one time, for a period not to exceed 90 days.~~
- ~~(3) Storage containers may be placed, stored, or used for temporary storage on property zoned for industrial or public lands use if a building permit has been obtained from the City for new development on the subject property. The use shall be permitted for the time period beginning with issuance of the building permit, and expiring seven days after the issuance of a certificate of occupancy, at which time the storage container shall be removed.~~
- ~~(4) Storage containers used for temporary storage may be placed within the front setback, and shall not be placed in the public right-of-way unless a right-of-way encroachment permit has been obtained from the City Engineering Section.~~

~~(5) No signs shall be permitted to be placed on any part of a storage container, except for a sign displaying the name of the storage container business which shall be limited to a sign area of six square feet.~~

~~b. Permanent Use. Permanent storage containers shall be permitted on property zoned for industrial or public facilities use, subject to approval of a minor improvement permit (see Section 10-20.40.080) and the following conditions:~~

~~(1) The storage container shall be considered an accessory structure to the principal structure;~~

~~(2) The storage container shall only be placed in compliance with all regulations of the Zoning Code, including setbacks, FAR, and lot coverage restrictions;~~

~~(3) The maximum size permitted for a storage container located on property zoned for industrial or public lands use shall be 320 square feet;~~

~~(4) The maximum height of a storage container used for storage purposes shall be 10 feet measured from natural grade to the top of the container;~~

~~(5) Storage containers shall be painted a neutral, earth tone, or to match the primary building near where they are placed;~~

~~(6) Storage containers shall be used for storage only, and shall not otherwise be occupied as habitable space. Storage containers shall not be connected to sewer, water or gas service, but may be permitted to have electrical service for lighting/plug-ins; and~~

~~(7) No signs shall be permitted to be placed on any part of a storage container.~~

~~E. Permanent Outdoor Accessory Uses. Permanent, outdoor accessory uses, including nurseries or garden centers, are permitted with the following conditions:~~

~~1. The accessory use is clearly incidental to the primary commercial use of the property;~~

~~2. The accessory use shall not occupy more than 10 percent of the total area of the site;~~

~~3. To accommodate the accessory use, the number of parking spaces shall not be reduced more than 10 percent below the number of spaces required by Division 10-50.80, Parking Standards, or more than 10 percent of the spaces provided;~~

~~4. The accessory use shall be conducted only between the hours of 6:00 a.m. and 9:00 p.m. or during the established business hours of operation, whichever is shorter; and~~

~~5. The accessory use shall not be located in improved parking stalls or areas.~~

## **C. Permanent Storage Structures.**

### **1. Placement.**

- a. **Residential and Transect Zones.** A storage structure shall be placed in: 1) the building envelope, and behind the rear of the primary structure; 2) the rear yard or interior side yard in compliance with the standards provided in subsection B.7.d. of this section; or 3) a combination of the building envelope's rear yard, or interior side yard in compliance with the standards provided in subsection B.7.d. of this section.
  - b. **Commercial Zones.** A storage structure shall: 1) be placed in compliance with the property development requirements of the property's zone; 2) be placed in a location where it is not visible from the public right-of-way, unless the container is placed in the loading/dock area; and, 3) not be placed parking areas.
  - c. **Industrial and Public Facility Zones.** A storage structure shall only be placed: 1) in compliance with the property development standards of the property's zone; and, 2) in a location where it is not visible from the public right-of-way, unless the container is placed in the loading/dock area.
3. **Maximum floor area.**
- a. **Residential and Transect Zones.** A storage structure's floor area shall not exceed 160 square feet.
  - b. **Commercial, Industrial, and Public and Open Space Zones.** A storage structure's floor area shall not exceed 384 square feet.
4. **Maximum height.** A storage structure shall not exceed a height of 10 feet measured from finish grade directly below the container.
5. **Maximum number of storage structures on a property in all residential and transect zones: one.**
6. **Additional requirements in the Commercial, Industrial, and Public and Open Space Zones.** All property development standards of the property's zone not specified in this subsection shall apply to a storage structure.
7. **Additional requirements in all zones.**
- a. **A storage structure shall:**
    - (1) Have an exterior color that is an earth tone with a light reflectance value of 50 or less, or matches the main color of a building on property that the structure is placed nearest to;
    - (2) Be non-habitable, and used only for storage purposes; and
    - (3) Not be connected to any utility service, except for an electrical service to provided lighting and electrical plugs.
  - b. **Storage structures mounted on trailers/wheels shall not be permitted.**

Section 22. Amend Title 10 FLAGSTAFF ZONING CODE, Division 10-40.60: Specific to Uses, to add Section 10-40.60.025 Accessory Uses, as follows:

**10-40.60.025 Accessory Uses.**

**A. Accessory Uses Allowed.**

1. An Accessory Dwelling Unit (ADU) use is allowed where specified in Sections 10-40.30.030 and 10-40.30.040.
2. All other accessory uses of a property are allowed in connection with a primary use on the same property.
3. An accessory use shall require the approval of a Conditional Use Permit when the accessory use is listed as primary use that requires a Conditional Use Permit in the same zone.

**B. Determination of an Accessory Use.** In determining that a use is accessory to a primary use, the Zoning Administrator shall find that the accessory use is clearly customary, subordinate and incidental to the primary use on the same property.

**D. Additional Criteria for Accessory Uses.**

1. **Outdoor Storage.** All outdoor storage areas shall comply with Section 10-40.60.275.
2. **Animal Keeping.** Animal keeping shall be maintained in conformance with Section 10-40.60.070.
3. **An Accessory Dwelling Unit (ADU) shall comply with Section 10-40.60.030.**

Section 23.

Amend Title 10 FLAGSTAFF ZONING CODE, Section 10-40.60.150 Day Care Home and Center, as follows:

**10-40.60.150 Day Care Home and Center**

**A. Day Care Home.**

1. No more than one full-time person not residing on the premises may be employed in the home day care use.
2. The home day care shall be conducted in a manner that does not create adverse impacts on the residential character of the neighborhood , **such as dust, noise, order, and traffic.**
3. During the hours of activity of the day care use, there is no limit on the amount of floor area devoted to this secondary use.
4. Outdoor activities and equipment associated with the home day care are permitted and must be screened by a minimum five-foot-high fence or wall.
5. The hours of operation shall not create adverse impacts on adjoining properties.
6. **The maximum number of persons that day care services may be provided for in a dwelling or a dwelling's accessory structure shall not exceed eight persons. The maximum number of eight persons shall include children under the age of 14, and any older individual, or disabled person (14 years of age or older) that resides in the dwelling and supervision is provided for.**

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7. Supervision of children, older individuals, or disabled adults is limited to less than 24-hours.
8. When required by the State of Arizona, all day care homes shall maintain an active state issued license.

**B. Day Care Center.**

1. Day care center facilities shall comply with all applicable State and fire codes, including Arizona Revised Statutes.
2. Day care center on-site exterior lighting shall be consistent with Division 10-50.70, Outdoor Lighting Standards.
3. A six-foot-high solid fence or wall shall be constructed on all property lines or around the outdoor activity areas of day care centers, except in the front setback or within a traffic safety visibility area, in compliance with Division 10-50.50, Fences and Screening.
4. All day care center facilities shall have public access.
5. The hours of operation shall not create adverse impacts on adjoining properties.
6. Supervision of children, older individuals, or disabled adults is limited to less than 24-hours.
7. When required by the State of Arizona, all day care homes shall maintain an active state issued license.

Section 24. Amend Title 10 FLAGSTAFF ZONING CODE, 10-40.60.250 Mini-Storage Warehousing., as follows:

10-40.60.250 Mini-Storage Warehousing

- A. ~~No sales, service, or repair activities other than the rental of storage units are permitted on the premises.~~  
**No business shall be operated out of a storage unit or outdoor storage area.**
- B. **All storage shall be within an enclosed building, except for accessory outdoor storage: 1) is limited to operable vehicles with a valid governmental registration; and 2) shall not exceed 10 percent of the gross site area; and, shall comply with Section 10-40.60.275. Outdoor Storage.**
- B. Maximum ~~leasable space per tenant shall be~~ **area of an individual storage unit:** 1,000 square feet.
- C. ~~Outdoor storage, or the~~ **The storage of junk refuse, compost, explosives, or flammable materials, and other noxious or dangerous materials, as determined by the City Fire Marshall, are specifically prohibited.**
- D. **Minimum vehicle drive aisle width: There shall be a of 21 feet between warehouse buildings for driveway, parking and fire lane purposes.**

**E. Minimum fire lane width: Comply with the Fire Code.**

~~**E.—All storage shall be within an enclosed building except that within the compound of a self-storage warehouse where operable recreational vehicles and motor vehicles may be placed in outdoor storage areas that are separated from view from adjacent streets and property in compliance with Table 10-50.60.040.B, Buffer and Screening Requirements. Outdoor recreational vehicle storage areas shall not exceed 10 percent of the gross site area.**~~

Section 25. Amend Title 10 FLAGSTAFF ZONING CODE, to add Section 10-40.60.275 Outdoor Storage, as follows:

**10-40.60.275. Outdoor Storage.**

**A. Screening requirement for a primary or accessory outdoor storage use.**

- 1. Heavy Industrial (HI) and Heavy Industrial – Open sub-zone (HI-O) zones.** All outdoor storage shall be completely enclosed within an area contained by a solid wall or fence, or chain link fence with slats that has minimum height of six (6) feet. A screen wall or fence within the required building area may be constructed to the maximum height allowed by the property's zone.
- 2. All other zones:**
  - a. All outdoor storage shall be completely enclosed within an area contained by a solid wall or fence that is at least one (1) foot taller than the tallest object being screened.**
  - b. The maximum height of a wall or fence within the required setbacks shall comply with Table 10-50.50.030.A.**
  - c. A screen wall or fence within the required building area may be constructed to the maximum height allowed by the property's zone.**

**B Ground surface treatment.** The ground of an outdoor storage area, including areas used for vehicle circulation, shall be maintained weed-free and have a dust-free surface (e. g., gravel, decomposed granite, etc.) approved by the Director. Based upon the intensity or frequency of vehicle traffic that is anticipated within the storage area, or the proximity to an adjacent residential use, the Director may require an outdoor storage area or vehicle travel lanes to have a pavement surface.

**C. Non-conforming outdoor storage.** Screening and ground surfaces for all outdoor storage areas shall be provide in compliance with the requirements of this section when the cumulative expansion of a non-conforming outdoor storage area, or a building with a non-conforming outdoor storage area, is enlarged by 25 percent or more.

Section 26. Amend Title 10 FLAGSTAFF ZONING CODE, Table 10-40.60.280.A: Planned Residential Development Building Type Options, as follows:

Table 10-40.60.280.A: Planned Residential Development Building Type Options											
Building Type	Residential Zones See Section 10-40.30.030(C) for Building Form Standards						Commercial Zones See Section 10-40.30.040(C) for Building Form Standards				
	RR	ER	RI	R1N	MR	HR	SC	CC	HC	CS	CB
Carriage House	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	--
Single-family											
Estate	✓	✓	✓	--	--	--	--	--	--	--	--
House	✓	✓	✓	✓	✓	✓	--	✓	--	--	--
Cottage	✓	✓	✓	✓	✓	✓		✓	--	--	--
Bungalow Court	✓	✓	✓	✓	✓	✓	--	✓	--	--	--
Duplex											
Side-by-Side	✓	✓	✓	✓	✓	✓	✓	✓	--	--	--
Stacked	✓	✓	✓	✓	✓	✓	✓	✓	--	--	--
Front-and-Back	✓	✓	✓	✓	✓	✓	✓	✓	--	--	--
Stacked Triplex	--	--	--	--	✓	✓	✓	✓	--	--	--
Townhouse	--	--	✓	-- ✓	✓	✓	✓	✓	✓	✓	--
Apartment House	--	--	--	--	✓	✓	✓	✓	✓	✓	--
Courtyard Apartment	--	--	--	--	✓	✓	✓	✓	✓	✓	--
Apartment Building	--	--	--	--	✓	✓	--	--	✓	--	--
Live/Work	--	--	--	--	✓	✓	✓	✓	✓	✓	✓
Commercial Block	--	--	--	--	--	--	--	✓	✓	✓	✓

Section 27. Delete Title 10 FLAGSTAFF ZONING CODE, Section 10-40.60.320 Warehousing in its entirety, as follows:

~~10-40.60.320 Warehousing~~

~~Warehousing, where permitted, includes outdoor storage provided the entire storage yard is screened by a minimum six-foot-high solid fence or wall, or chain-link fencing with slats. Outdoor storage includes storage yards for recreational vehicles, boats, trailers, and contractor's storage and supply yards. Surfacing requirements are to be determined by the Director, based upon the intensity of use, and may range from pavement to a permeable, dust-free, weed-free surface (e.g., gravel). Any expansions of existing storage yards or buildings with storage yards, of 25 percent or more in area, shall also provide screening for the entire yard area.~~

Section 28. Amend Title 10 FLAGSTAFF ZONING CODE, Section 10-50.30.030 How Building Height Is Measured, subsection A. Applicable to All Zones., paragraph 1. Building Height Plane subparagraph b., as follows:

**Section 10-50.30.030 How Building Height Is Measured**

**A. Applicable to All Zones.**

**1. Building Height Plane.**

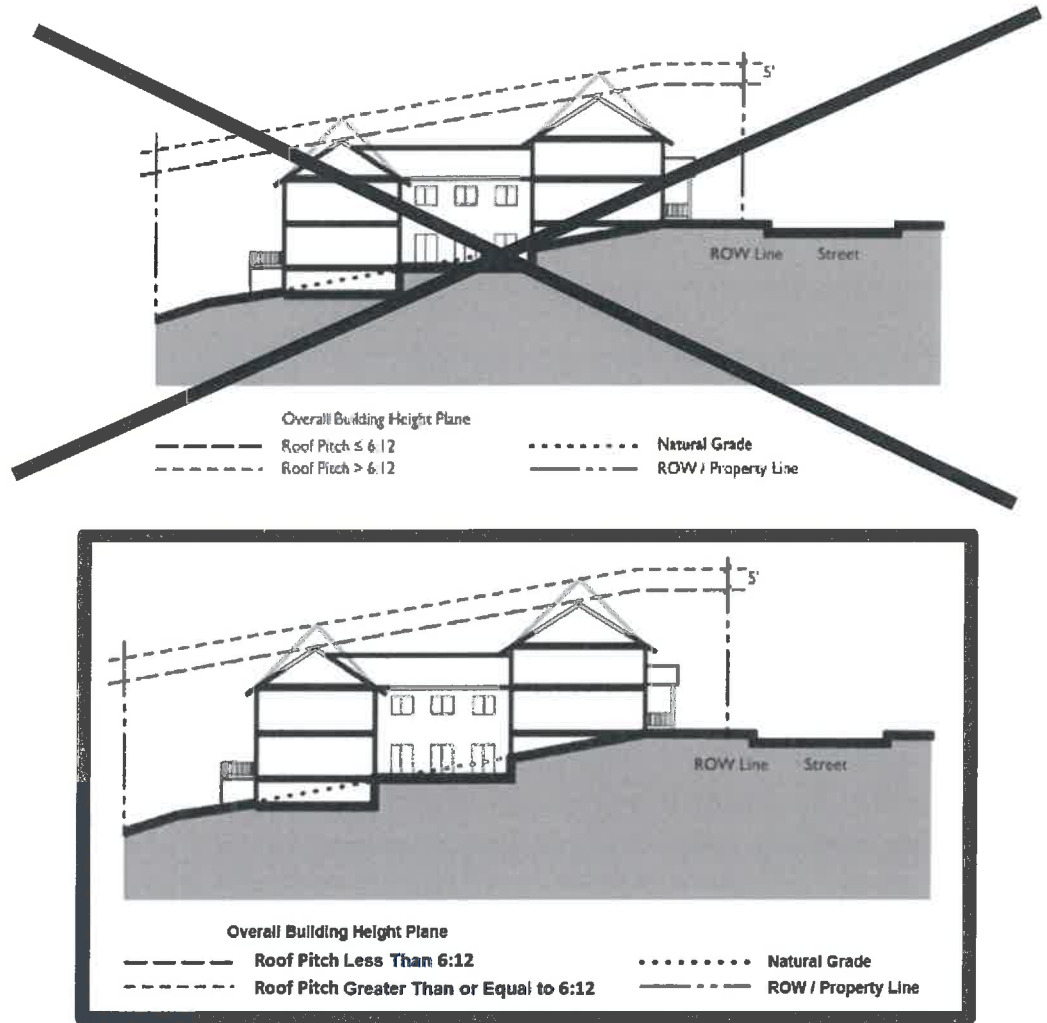
- b. Primary buildings with a roof pitch greater than **or equal to** 6:12 shall be allowed an additional five feet above the maximum building height in the zone. Accessory buildings and structures regardless of roof pitch shall not be allowed any additional building height.

Section 29.

Amend Title 10 FLAGSTAFF ZONING CODE, Section 10-50.30.030 How Building Height Is Measured, subsection A. Applicable to All Zones., Figure 10-50.30.030B. Pitched roof building height measurements (not drawn to scale), as follows:

**Section 10-50.30.030 How Building Height Is Measured**

**A. Applicable to All Zones.**



**Figure 10-50.30.030B.**

**Pitched roof building height measurements (not drawn to scale).**

Section 30.

Amend Title 10 FLAGSTAFF ZONING CODE, Section 10-50.40.020 Encroachments into Minimum Required Setbacks, Table 10-50.40.020.A: Allowed Encroachments into Setbacks and Heights, as follows – including adding grid lines and shading to the table:

<b>Table 10-50.40.020.A: Allowed Encroachments into Setbacks and Heights</b>	
<b>Arbors, Awnings, Canopies, Court Yards, Decks, Patios, Pergolas, Porches, Stoops, Trellis, Hooded Entries, Carports and Balconies<sup>1,2,3</sup></b>	
Front, Rear, <del>Exterior-Street</del> Side Setback (max.)	<del>5'</del> 5 feet
Interior Side Setback (max.)	<del>3'</del> 3 feet
<b>Accessory Dwelling Units (ADUs)<sup>1</sup></b>	
See Section <del>10-40.60.040</del> 10-40.60.030	
<b>Accessory <del>Buildings and</del> Structures<sup>1</sup></b>	
See Section 10-40.60.020	
<b>Ground Mounted Solar Panels</b>	
Front, Rear, <del>Exterior-Street</del> Side Setback (max.)	<del>5'</del> 5 feet
Interior Side Setback (max.)	<del>3'</del> 3 feet
<b>Bay Windows, Open Eaves, Cornices, Fireplaces and Chimneys, and Window Sills</b>	
All Setbacks (max.)	<del>2'</del> 2 feet
<b>End Notes:</b>	
<sup>1</sup> 1 In no case shall the permitted encroachment exceed 50 percent of the required setback. <sup>2</sup> 2 Refer to applicable Building Code sections for permitted projections into setback areas and ensure that a 3' space is maintained between an open stairway and the property line. <sup>3</sup> 3 Refer to applicable Building Code sections for construction less than 5' from a property line.	

Section 31.

Amend Title 10 FLAGSTAFF ZONING CODE, Section 10-50.60.050 Landscaping Standards, subsection A. Landscape Design., Table 10-50.60.050.A: Landscape Credits for Existing Trees., as follows – including adding grid lines to the table:

**Section 10-50.60.050 Landscaping Standards**

**A. Landscape Design.**

Table 10-50.60.050.A: Landscape Credits for Existing Trees.	
Existing Tree Size (DBH)	No. of Trees Not Required
<p style="text-align: center;"><del>6–10"</del></p> <p style="text-align: center;">Equal to 6 inches, and less than 10 inches</p>	1 Tree <sup>1</sup>
<p style="text-align: center;"><del>10–18"</del></p> <p style="text-align: center;">Equal to 10 inches, and less than 18 inches</p>	2 Trees <sup>1</sup>
<p style="text-align: center;"><del>&gt;18"</del></p> <p style="text-align: center;">Equal to, or greater than, 18 inches</p>	3 Trees <sup>1</sup>
<b>End Note</b>	
<sup>1</sup> 1. For each tree not required to be planted, the requirement for shrubs and groundcovers associated with that tree shall be waived.	

Section 32. Amend Title 10 FLAGSTAFF ZONING CODE, Section 10-50.90.060. Forest, subsection B. Methodology., as follows:

**10-50.90.060 Forest**

**B. Methodology**

1. This section establishes a minimum forest resource protection threshold for all parcels subject to the Resource Protection Overlay (RPO). Forest resources are determined according to the resources survey requirements (Section 10-50.90.070, Resources Survey Requirements), which establish the quality and priority for forest resource protection based on a point rating system.
2. Tables ~~10-50.90.060.A~~ **10-50.90.060.B.2.a. and 10-50.90.060.B.2.b.**, ~~Forest Resource Protection Thresholds as a Percentage of Site Area~~, shall be used to determine the minimum amount of forest resources that must be retained on-site. Protection thresholds applicable to affordable housing developments are located in Division 10-30.20, Affordable Housing Incentives.

~~Table 10-50.90.060.A: Forest Resource Protection Thresholds as a Percentage of Site Area~~

Public Lands	Residential	Commercial	Industrial	TNCP
30%	30%	30%	20%	30%

Table 10-50.90.060.B.2.a Forest Resource Protection Thresholds as a Percentage of Site Area			
Commercial Zones	Industrial Zones	Public and Open Space Zones	Residential Zones
30%	20%	30%	50%

Table 10-50.90.060.B.2.b Forest Resource Protection Thresholds as a Percentage of Site Area			
T1 Natural <sup>1</sup> and T2 Rural <sup>1</sup> zones	T3 Neighborhood <sup>1</sup> 1 and 2 zones	T4 Neighborhood <sup>1</sup> 1 and 2 zones	TNCP
80%	50%	30%	See Section 10-50.90.060.B.5.
<b>End Notes</b>			
1. The percentage of forest resource protection also apply to a zones sub-zones			

3. The amount of forest resources required to be protected **on-a-development-site property** may be reduced through the application of the following sections of this code:
  - a. Section 10-30.20.040, Affordable Housing Incentives;
  - b. Section 10-30.60.030(B), Solar Orientation or Aspect;
  - c. Section 10-30.60.090(B)(1), Civic or Public Space Requirement;
  - d. Section 10-50.60.050(A)(1), Plant Material Considerations; and
  - e. Section 10-50.80.060(E), Parking Reductions for Forest Resources.

- ~~3. 4.~~ Where forest resources on a site overlap with steep slope resources, the following standards apply:
- a. For affordable housing developments, refer to the standards in Section 10-30.20.040, Affordable Housing Incentives.
  - b. For all other developments located within the Resource Protection Overlay, up to 25 percent of the forest resources in the steep slope area may be counted towards the required amount of forest resources for the entire site at a ratio of one credit point for forest resources to 50 square feet of slope area.
- ~~3. Traditional neighborhood community plans (TNCP), Division 10-30.80, are primarily concerned with the form and character of development through the application of transect zones. The transect zones provide a variety of rural to urban forms where the level of forest protection may vary. In the more urban zones such as the T4 Neighborhood and T5 Main Street transect zones, protection of forest resources is secondary to the creation of urban form and character, and, while the protection of forest resources is strongly encouraged, in most cases it may not be feasible. However, in the T1 Natural and T2 Rural transect zones virtually all of the forest resources shall be protected, while in the T3 Neighborhood zones, most forest resources shall be protected. In order to account for this character, forest resources in a traditional neighborhood community plan shall be calculated as an average across the entire site, and not specifically for each transect zone within the traditional neighborhood community plan.~~
5. Minimum Forest Resource Protection shall be the greater of:
- a. Thirty (30) percent, <sup>gross lot</sup> calculated as an average across the entire site; or,
  - b. The total percentage calculated shall be based on the location and allocation of the transect zones in the Traditional Neighborhood Community Plans (TNCP) and the corresponding transect zone requirements of Table 10-50.90.060.B.2.b.

Section 33. Amend Title 10 FLAGSTAFF ZONING CODE, Section 10-80.20.010 Definitions, "A", the terms "Accessory Buildings and Structures", "Accessory Dwelling Unit (ADU), Attached", and "Accessory Dwelling Unit (ADU), Detached", and to add the term "Accessory Dwelling Unit (ADU), Interior", as follows: as follows:

**10-80.20.010 Definitions, "A"**

**Accessory ~~Buildings and Structures~~ Structure:** is a ~~Buildings or structures~~ building or structure (including sheds, barns, garages, carports, ~~artist or craft studios, home offices,~~ greenhouses, detached solar systems, ~~or~~ shade structures, light pole, flag pole, pool, fence, wall, or other accessory structure as determined by the Zoning Administrator which:

1. ~~Are Is~~ subordinate in building area, intensity of use, or purpose to the **principal primary building structure or use served**;
2. Contribute to the comfort, convenience, ~~and or~~ necessity of the occupants of the **principal primary** building or use served; and
3. Are located on the same lot as the **principal primary building structure** or use served, with the single exception of accessory off-street parking facilities that are permitted to locate elsewhere.

Section 34. Amend Title 10 FLAGSTAFF ZONING CODE, Section 10-80.20.020 Definitions, “B”, for the term, “Bed and Breakfast”, “Block face”, “Building Code”, and “Building Envelope”, as follows:

**Section 10-80.20.020 Definitions, “B”**

**Bed and Breakfast:** ~~Accommodations~~ **Is an accommodation provided and offered to transient guests for stays of less than thirty (30) days in offered by** a private home, consisting of a room for ~~the night~~ **sleeping, which may include separate sanitation facilities in each room, and breakfast is provided to the guest(s) the next morning for one-inclusive and is included in the price of the room. Bed and breakfast is not a Travel accommodation, vacation rental or short-term rental.**

**Building Code:** ~~The currently in effect codes of the City of Flagstaff that establish minimum acceptable levels of safety for the construction, renovation, demolition, and occupancy of buildings and structures.~~ **Is the regulations contained in Title 4 Building Regulations of the Flagstaff City Code.**

**Building envelope:** **is the three (3) dimensional space on a lot or parcel delineated by the property’s zone requirements for building height, setback, stepback, yards and other provisions of the Zoning Code.**

Section 35. Amend Title 10 FLAGSTAFF ZONING CODE, Section 10-80.20.040 Definitions, “D”, for the terms “Day Care, Center” and “Day Care, Home”, “Development Site”, “Dwelling”, “Dwelling, Cluster”, and to add the terms “Development, Multiple-Family”, “Development - Attached, Single-Family”, “Development - Detached, Single-Family”, and “Development, Duplex” as follows:

**Day Care, Center:** A facility, ~~other than a dwelling unit or an accessory structure of a dwelling unit, regulated by the State that provides where~~ **supervision for less than 24 hours per day for nine or more of children, elderly older individuals, or disabled persons in a facility other than a residence is provided for less than 24-hours.** This includes adult day care or adult day health as defined in A.R.S. § 46-191.1., **as amended.**

~~Day Care, Home: A home occupation in any dwelling established consistent with the State of Arizona requirements, which receives no more than eight children, elderly, or disabled adults for less than 24 hours per day. The maximum number of eight children shall be reduced in number by the number of children residing in the dwelling under the age of 14. This includes adult day care or adult day health as defined in A.R.S. § 46-191.1.~~

**Day Care, Home:** A home occupation in any dwelling or an accessory structure of a dwelling, where supervision of children, older individuals, or disabled persons is provided for less than 24-hours. This includes adult day care or adult day health as defined in A.R.S. § 46-191.1., as amended.

**Development Site:** Any ~~plot~~ lot or parcel of land, or combination of contiguous lots or parcels of land, whether under common ownership or multiple ownership, which constitutes a site on which development is proposed, under construction, or exists.

~~**Dwelling Unit:** One or more habitable rooms for residential use that are used as a home, residence, or sleeping place by one or more persons and which shall contain sleeping, sanitary, and cooking facilities. Dwelling includes an apartment or condominium. This does not include a motel or hotel room (see "Lodging") or suite or guest rooms in a boarding house or bed and breakfast (see "Bed and Breakfast").~~ Is one or more rooms as a single unit used as an independent residential living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation. A dwelling unit does not include suites or guest rooms in a travel accommodation or bed and breakfast.

**Development - Multiple-Family:** Is a development consisting of any number of structures, or portion thereof, that contains a total of three or more dwelling units on a lot or parcel.

~~**Dwelling, Multiple-Family:** A dwelling contained in a building comprised of three or more dwelling units.~~

**Development - Attached, Single-Family:** Is a development consisting of one or more lots or parcels that contains a dwelling unit that is attached to dwelling unit on another lot or parcel.

**Development - Detached, Single-Family:** Is a development consisting of one or more lots or parcels that contains a single-family dwelling that is detached from a dwelling unit on another lot or parcel. A single-family development – detached include lot and parcels that contain a primary dwelling unit and an accessory dwelling unit in accordance with the provision of this code.

**Development, Duplex:** Is a development consisting of one or more lots or parcels that contains a duplex.

~~**Dwelling, Development - Cluster, Single-Family:** Fully detached single family residential uses~~ Is a Single-Family Development – Detached or co-housing located on individual lots that include, as part of the subdivision design, includes common open space and is developed to the requirements of this code.

Section 36. Amend Title 10 FLAGSTAFF ZONING CODE, Section 10-80.20.060 Definitions, "F", for the term, "Factory Built Building", and add the term "Fire Code", as follows:

**10-80.20.060 Definitions, "F"**

**Factory Built Building:** ~~A building including a dwelling or habitable room that is either wholly or in substantial part manufactured at an off-site location to be assembled on site, except that it does not include a manufactured home, recreational vehicle, or mobile home as defined by this chapter. Does include modular homes. These structures are built to the 2003 International Residential Code, 1994 Uniform Plumbing Code, 2003 International Mechanical Code and 2002 NEC standards as dictated by the Arizona Department of Building and Life Safety. These units are considered a permanent structure, to be installed only once. The manufacturer of the factory built will provide a "blue" manufacturer's plate affixed to the exterior of the unit. The foundation for the factory built unit must be approved by the State Office of Manufactured Housing before the installation of the factory built building. See also "Dwelling, Single-Family."~~

As defined by the Arizona Revised Statutes §41-4001, as amended, a factory built residential or commercial building is: (i) either wholly or in substantial part manufactured at an off-site location and transported for installation or completion, or both, on-site; (ii) constructed in compliance with adopted codes, standards and procedures of the State of Arizona; and, (iii) installed temporarily or permanently. A factory built building does not include a manufactured home, recreational vehicle, panelized building or domestic or light commercial storage building.

**Fire Code:** Is the regulations contained in Title 5 Fire Code of the Flagstaff City Code.

Section 37. Amend Title 10 FLAGSTAFF ZONING CODE, 10-80.20.090 Definitions, "I", for the term "Industrial, Light – General", as follows:

**10-80.20.090 Definitions, "I"**

**Industrial, Light – General:** This use includes manufacturing, storage, transportation, construction, repair, and wholesale uses that do not include hazardous wastes or resulting large truck usage/parking on the site. Light industrial uses include, but are not limited to, the following:

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<del>Auto towing and storage yards</del>	Leather, except tanning and finishing
<b>Vehicle Towing</b>	Local and interurban passenger transit

<b>Auto Vehicle</b> repair including top, body and upholstery repair and paint shops and tire retreading and repair shops	Lumber and wood products
Communications	Miscellaneous manufacturing industries
<b>Drugs Pharmaceutical Manufacturing</b>	Office and computing machines
Electric and electronic equipment (except electronic distribution and electrical industrial)	Paper products, except mills
	Printing and publishing
Fabricated metal	Special trade contractors
Food products, including liquor distribution, except meat products	Special warehousing and storage
	Textiles and apparel
Fuel and ice dealers	Transportation services
Furniture and fixtures	Trucking and general warehousing including mini-storage
General building contractors	Welding repair
Instruments and related products	Wholesale trade, durable and nondurable
Large truck, industrial truck and tractor repair	
<b>Vehicle Storage, excluding Federal Highway Administration class 7, and above, vehicles and heavy equipment/construction vehicles</b>	

Section 38. Amend Title 10 FLAGSTAFF ZONING CODE, Section 10-80.20.160 Definitions, "O", for the term "Older Individual" and "Outdoor Storage," as follows:

**10-80.20.160 Definitions, "O",**

**Older Individual: Is any person 60 years of age, or older, unless otherwise defined in 42 U.S. Code § 3002.**

**Outdoor Storage:** is the storage of commodities, equipment, materials, merchandise, vehicles, etc. outside of a completely enclosed building.

Section 39.

Amend Title 10 FLAGSTAFF ZONING CODE, Section 10-80.20.160 Definitions, "P", for the terms "Parcel," and to add the terms "Parking, Tuck-under," "Parking Structure," "Parking Structure, Above-Ground," "Parking Structure, Podium," "Parking Structure, Underground," and "Passive Recreation," in alphabetical order, as follows:

**10-80.20.160 Definitions, "P",**

**Parcel:** ~~A defined~~ **Is an area of land defined by a legal description, and** not part of a platted subdivision

**Parking, Tuck-under:** is vehicle parking on fifty (50) percent or less of the ground level of a habitable building.

**Parking Structure:** ~~A building containing two or more stories of parking above natural grade.~~ **is an above-ground, podium, or underground structure used for parking vehicles.**

**Parking Structure, Above-Ground:** is a structure of two (2) or more levels, starting at or above-ground level.

**Parking Structure, Podium:** is one (1) level of vehicle parking at ground level or partially below ground level, which may have habitable structure or open space area, such as a courtyard, above the parking.

**Parking Structure, Underground:** is a structure of one (1) or more levels, fully below ground level, except for the ramp into the parking structure.

**Passive Recreation:** is the use of land in its substantial natural or restored natural state for the preservation of wildlife, the environment and recreational purposes that requires minimal development, including park and ranger facilities, facilities for picnics, pavilions, multi-use trails and paths, canoeing, fishing, educational facilities that promote the education or preservation of such lands, etc., and relate support accessory uses such as parking, restrooms, and areas for the health and well-being of the public. Passive recreation does not include the use of recreational motorized vehicles, except when authorize by law, permit, or license granted by the city, state, or federal government.

Section 40.

Amend Title 10 FLAGSTAFF ZONING CODE, Section 10-80.20.190 Definitions, "s", for "sign", and to add the terms "sanitation facilities," "Seasonal Sales" and "short-term rental or vacation rental", as follows:

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**10-80.20.190 Definitions, "S",**

**Sanitation Facilities:** is bathroom that contains any combination of, or individually, a toilet, shower, sink, tub or related bathing and sanitation fixtures.

**Seasonal Sales:** is a sale event that occurs during one particular time of the year for a limited period of time, including the sale of annually harvested food products, holiday trees, fireworks, pumpkins, and similar sale events uses as determined by the Zoning Administrator.

**Sign:** A structure, device, figure, display, message placard or other contrivance, or any part thereof, situated outdoors or indoors, which is designed, constructed, intended or used to advertise, provide information in the nature of advertising, provide historical, cultural, archeological, ideological, political, or social information, or direct or attract attention to an object, person, institution, business, product, service, message, event or location by any means including ~~words, letters, figures, designs, symbols, fixtures, colors, or illumination.~~ branding, color bands, corporate colors, designs, figures, fixtures, illumination, letters, logos, symbols, and words.

**Short-term Rental or Vacation Rental:** is a defined in accordance with the Arizona Revised Statutes § 9-500.39., as amended.

Section 41. Amend Title 10 FLAGSTAFF ZONING CODE, Section 10-80.20.220 Definitions, "W", for the term "Warehousing", as follows:

**Warehousing:** ~~Warehouse and storage operations, including screened outdoor storage.~~ Is the storage of merchandise, commodities or vehicles in an enclosed building.

Section 42. Amend Title 10 FLAGSTAFF ZONING CODE, Section 10-80.20.250 Definitions, "Y", for the terms, "Yard", "Yard, Exterior", "Yard, Front", and "Yard, Interior", as follows:

**Section 10-80.20.250 Definitions, "Y**

**Yard:** ~~An is an~~ open area ~~at-grade that is unoccupied and unobstructed from the ground upward, except as allowed by the Zoning Code,~~ between a principal or accessory ~~building structure,~~ or ~~buildings a~~ structure and the nearest lot line ~~that is unoccupied and unobstructed from the ground upward except as may be specifically provided in this Zoning Code.~~ Typical yard locations are identified in the Figure 10-80.20.250. Yards.

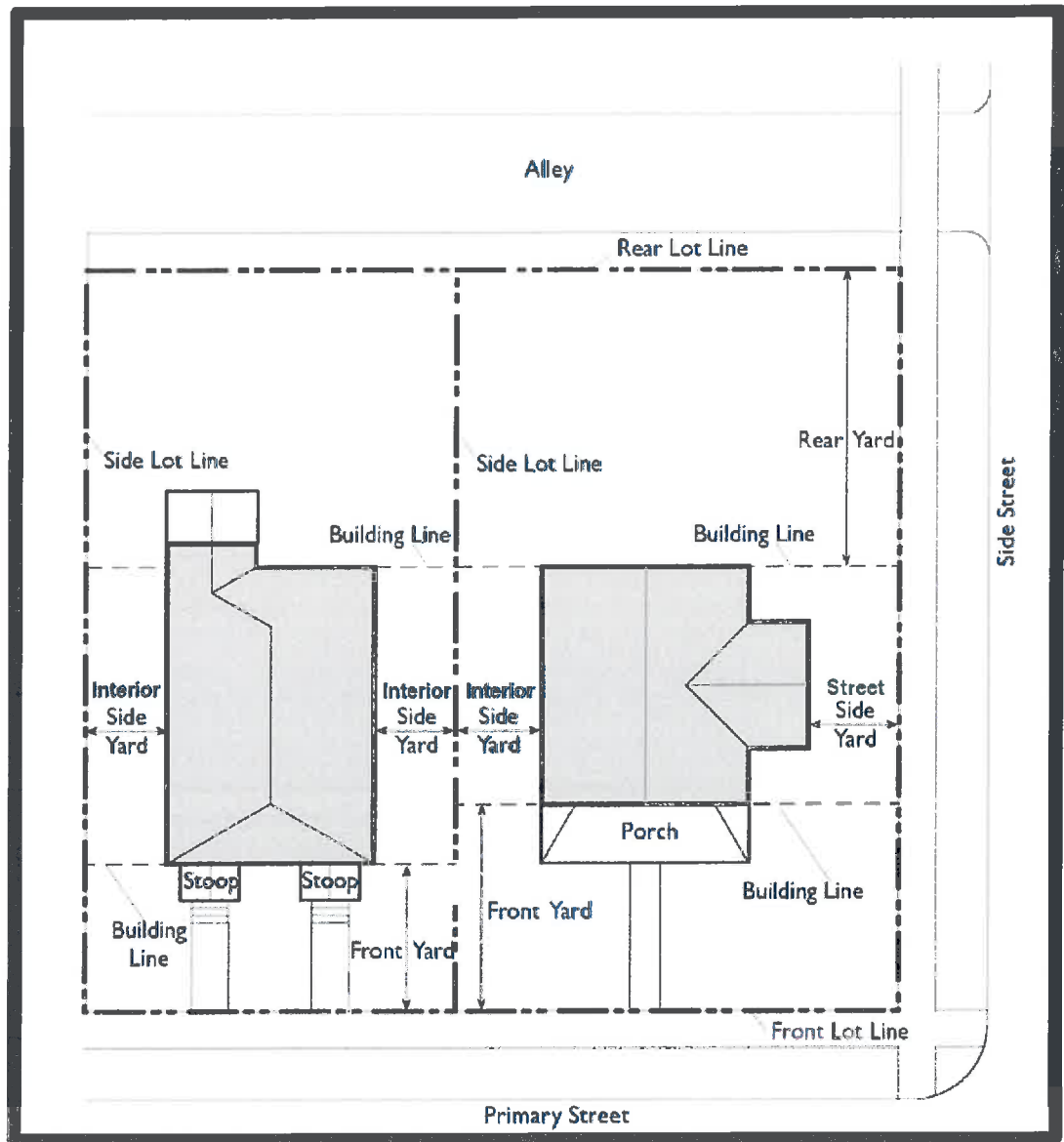
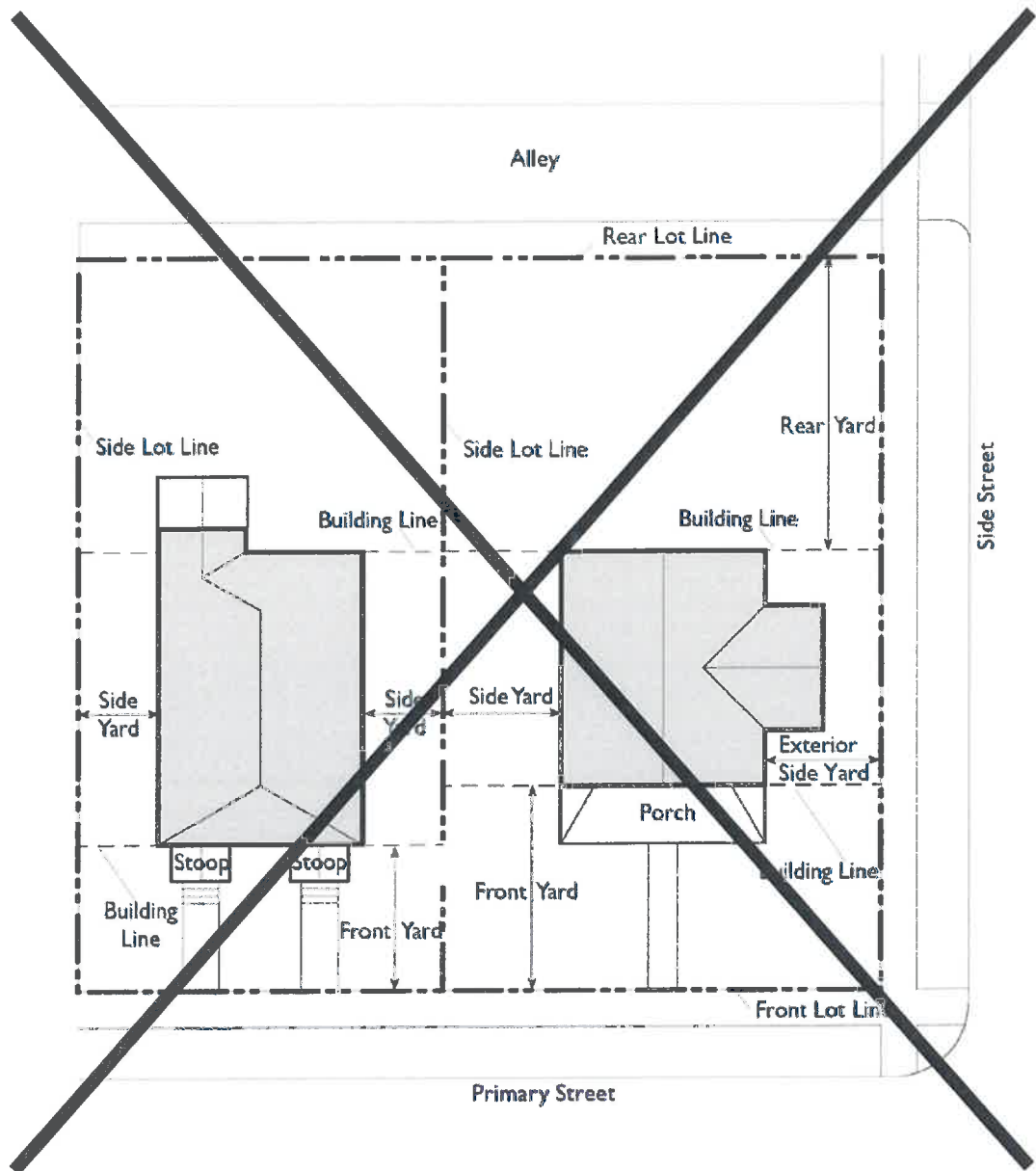


Figure 10-80.20.250. Yards.

**Yard, Exterior Street Side:** A yard extending from the front yard to the rear yard, between any building and the exterior-side lot line abutting a street. On corner lots, the exterior-side yard is adjacent to a street other than the one which determines the front yard.

**Yard, Front:** A yard extending across the full width of a lot between any building and the front lot line, and measured perpendicular to the building at the closest point to the front lot line.



**Yard, Interior Side:** A yard extending from the front yard to the rear yard between the **principal primary** building and the side lot line adjacent to another lot measured perpendicular from the side lot line to the closest point of the **principal primary** building.