



**Community Development Department  
Planning and Development Services**

**Date:** January 2, 2020  
**TO:** Planning and Zoning Commission  
**FROM:** Dan Symer, AICP, Zoning Code Manager  
**Through:** Alaxandra Pucciarelli, Current Planning Manager  
**RE:** Planning and Zoning Commission Work Session

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**Request:**

1. Case No. PZ-19-00125: Request for a work session with the Planning and Zoning Commission to discuss the City's request to amend the zoning code to resolving conflicts, incorporating technical corrections and clarity, add and modify definitions, and to add, delete and modify the codes requirements. The proposed amendments affect, but are not limited to, the provisions of the code's: administration and procedures, general to all provisions, non-transect and overlay zones, supplemental to zones, building height, accessory buildings, equipment screening, landscape buffers, signs, specific to building types, and definitions.

**Introduction:**

The Zoning Code was adopted by the City Council on November 1, 2011 to replace the former Land Development Code. Since 2011, the Zoning Code has been amended 14 time to address a variety of requirements and provisions. The most recent amendments to the Zoning Code were approved by the City Council in November 2019. These amendments modified a series of miscellaneous changes, and incorporated clarifications to the requirements of accessory dwelling units.

**Purpose of the Work Session:**

The work session with the Planning and Zoning Commission is required as a "Citizen Review Session" in compliance with Section 10-20.50.040 (Procedures) of the Zoning Code and applicable state law. The purpose of the work session is for staff to present an overview of the proposed amendment, to allow interested residents to present their ideas, suggestions and concerns, and for the Commission to ask questions, seek clarification, and discuss the amendment, as well as offer alternate suggestions and ideas. No action will be taken by the Commission at this work session. After the work session, staff will revise the proposed amendments. The amendment will then be presented to the Commission at a public hearing for consideration and action. Once a recommendation is received, a public hearing will be scheduled with the City Council. The anticipated timeline for the amendments is as follows:

- January 22, 2020 – Planning Commission Work Session
- February 12, 2020 – Planning Commission Public Hearing
- March 2020 – Potential City Council Public Hearing (1<sup>st</sup> Reading of Ordinance)
- April 2020 – Potential City Council Hearing (2<sup>nd</sup> Reading of Ordinance/Adoption)

- May 2019 – Potential Ordinance Effective Date

**Overview of Proposed Amendment:**

The proposed amendment includes multiple changes to the Zoning Code to resolve conflicts, incorporate 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:

- Clarifying when a Concept Plan application is required;
- Adding expiration time frames for Concept Plan and Site Plan applications and approvals;
- Clarifying when a property owner may submit a Zoning Map Amendment or Zoning Code Text Amendment;
- Allowing the Heritage Preservation Commission to approve less restrictive standards or exceptions to maintain the historic integrity of a historic property with transect zoning;
- Modifying the equipment screening requirements to require a parapet or roof feature be no shorter than the tallest object being screened, and to require wall-mounted equipment to be screened from surrounding properties, alleys and streets, or to be integrated into the architecture of the building;
- Clarifying and modify the landscape buffer requirements, including the addition of criteria to modify the required landscape street buffer; and
- Clarifying the location requirements of the transect private street frontage locations when these standards are used in the non-transect zones.

*Summary of the Staff Revisions to the Zoning Code:*

The proposed amendment includes:

1. **Concept Plan Review (Section 10-20.30.050):** The concept plan review submittal requirements have been clarified to incorporate structural and non-structural exterior modification that are visible from a public way. Also, expiration timeframes of Concept Plan applications have been incorporated.
2. **Minor Improvement Permits (Section 10-20.40.080):** Changes have been incorporated to exempt animal keeping shelters that are less than 50 square feet from the Minor Improvement Permit application process.
3. **Site Plan Review and Approval (Section 10-20.40.140):** Expiration timeframes for Site Plan Review applications and associated approvals have been incorporated.
4. **Initiation of Amendments (Section 10-20.50.030):** Changes have been incorporated clarifying when a property owner may submit a Zoning Map Amendment or Zoning Code Text Amendment.
5. **Public Improvements Defined (Section 10-30.50.030):** Incorporated parkways as a public improvement requirement.
6. **Open Spaces, Civic Spaces, and Outdoor Public Spaces (Section 10-30.60.090):** Clarification has been incorporated that the area requirements of open spaces, civic spaces, and outdoor public spaces are based on the defined term of Development Site Area.
7. **Building Form and Property Development Standards (Tables 10-40.30.030.C., 10-40.30.040.C., and 10-40.30.050.C.):** The building height allowance for pitched roofs have been incorporated into the property development standards tables. Currently, these provisions are in the section regarding the method of determining building height.
8. **Supplemental to Zones, Divisions (Chapter 10-50):** Division 10-50.25: Basements, Basement Garages, Building Stem Walls, Crawl Spaces, and Podium Parking Structure Walls, including sections therein, have been incorporated. Currently, these provisions are located in Section 10-50.30.030, How Building Height is Measured. Also, new provisions have been incorporated pertaining to the walls of

a podium parking structure. These provisions require the exterior of the podium parking structure wall to have an architectural finish that is consistent with the rest of the building's architectural finishes.

9. **Applicability (Section 10-50.20.020):** Clarification has been incorporated pertaining to building and structure elevations that are subject to Section 10-20.40.140, Site Plan Review and Approval. These elevations shall comply with Section 10-50.20 Architectural Design Standards.
10. **How Building Height Is Measured (Section 10-50.50.040):** The methodology to measure building height has been modified. Also, several standards of this section are being modified and relocated.
11. **General Fencing and Screening Standards (Section 10-40.60.275):** The equipment screening requirements have been modified to require a parapet or roof feature be no shorter than the tallest object being screened, and to require wall-mounted equipment to be screened from surrounding properties, alleys and streets, or to be integrated into the architecture of the building.
12. **Landscape Location Requirements (Section 10-50.60.040):** The landscape buffer requirements have been clarified and modified to add criteria to modify a required landscape street buffer, and that the parking area landscape standards apply to multiple-family residential and nonresidential developments.
13. **10-50.110 Specific to Building Types (Division 10-50.110):** The location requirements of the transect private street frontage locations have been clarified when the Commercial Block, Forecourt, Shopfront, Terrace Shopfront, and Gallery are used in the non-transect zones.
14. **Definition of Specialized Terms, Phrases, and Building Functions (Division 10-80.20)** This division includes modifications, deletions, and the addition of various definitions of the Zoning Code, including: Acreage, Gross; Acreage, Net; Density; Density, Gross; Development, Multiple-Family; Development Site; Development Site Area; Duplex; Finished Grade; Floor Area Ratio, Gross (GFAR); Industrial, Heavy – General; Key Lot; Micro-brewery or Micro-distillery; Natural Grade; Outdoor Storage or Display; and Yard, Railroad Shop.
15. **Additional Enforcement, Technical, Figure and Term Modifications (Division 10-50.110 and Sections: 10-20.40.090, 10-20.50.040, 10-40.30.030, 10-40.30.050, 10-40.50.030, 10-50.50.030, 10-50.60.010, 10-50.80.040, 10-50.100.050, 10-50.100.100, and 10-50.90.060):** Various technical, enforcement, and cross reference corrections, clarifications, and modifications have been incorporated.

### **Findings**

At the February 12, 2020 Planning and Zoning Commission meeting, the Commission will be requested to make a recommendation to the City Council on the proposed amendments based on the required findings specified in the Zoning Code. For your reference and discussion purposes, the required findings are specified below.

1. The proposed amendment is consistent with and conforms to the objectives and policies of the General Plan and any applicable specific plan;
2. The proposed amendment will not be detrimental to the public interest, health, safety, convenience or welfare of the City; and
3. The proposed amendment is internally consistent with other applicable provisions of this Zoning Code.

### **Community Involvement**

In accordance with State Statute and the Zoning Code, the work session before the Planning and Zoning Commission was advertised in the Arizona Daily Sun on December 21, 2019, which is 32-days before the scheduled meeting date. As of the date of this memo, staff has not received any comments from the public.

**Conclusion:**

As indicated above, the purpose of the work session is for staff to present an overview of the proposed amendments to the Zoning Code, and to allow interested individuals, residents and business owners to provide comments. Also, the work session is to allow for the Commission to ask questions, seek clarification, have discussions, and offer comments on the proposed amendments. No formal recommendation or action by the Commission to the City Council is to occur at the work session. Additional opportunities for discussion, public comment, and action by the Commission will occur at a future public hearing.

**Attachments:**

1. Draft of Case No. PZ-19-00125 Updates to Zoning Code 2020 – Miscellaneous Part 1