



**Community Development Department
Planning and Development Services**

Date: July 20, 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

I. **Request:**

Case No. PZ-19-00123: Request for a work session with the Planning and Zoning Commission to discuss the City's request to amend the Zoning Code to create the Neighborhood Community Commercial (NCC) zone.

II. **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 provide 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. The Commission will take no action at this work session. After the work session, staff will revise the proposed amendment. 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:

- August 12, 2020 – Planning and Zoning Commission Work Session
- August 25, 2020 – City Council Work Session
- September 23, 2020 – Potential Planning and Zoning Commission Public Hearing
- October 2020 – Potential City Council Public Hearing (1st Reading of Ordinance)
- October 2020 – Potential City Council Public Hearing (2nd Reading of Ordinance/Adoption)

III. **Introduction:**

In February 2018, the City Council adopted the citywide High Occupancy Housing Specific Plan (HOH Plan). The HOH Plan was developed in response to the community's dialogue pertaining to the previously proposed high-intensity mid-rise developments near historic neighborhoods that primarily catered to college students. The HOH Plan is intended to provide direction in the form of goals, policies, and strategies to accommodate a variety of housing options in areas of the city that can support infill, redevelopment, and mixed-use activities.

The HOH Plan's goals, policies, and implementation strategies address a broad spectrum of topics (Please refer to Chapters 4 and 5 of the HOH Plan). Specific to this application, the HOH Plan's

implementation strategies include lowering the building height in the Community Commercial (CC) zone from 60-feet tall to 45-feet tall (Strategies to be implemented by 2019, bullet 5, page 102).

IV. Overview of Proposed Amendment:

The proposed amendment is to create a new zone called the Neighborhood Community Commercial (NCC) zone. This new zone will be identical to the existing Community Commercial (CC) zone as it pertains to the allowed land uses and property development standards (setbacks, Floor Area Ratio, lot sizes, etc.), except that the allowed maximum building height would be limited to 45-feet tall. Attachment 1 is a draft of the proposed amendment.

The concept to have a separate zone to address the HOH Plan implementation strategy to change the building height of the Community Commercial (CC) zone from 60-feet tall to 45-feet tall is a result of the comments received at the public open house meetings that occurred in August 2019 and the City Council Work Session that occurred in October 2019. In summary, instead of limiting the Community Commercial (CC) zone to a maximum building height of 45-feet tall, the comments received suggested limiting the locations that the 45-foot tall maximum building height would be applied. As a result of these comments, it became apparent that a separate zone would be an appropriate mechanism to implement the above-mentioned HOH Plan implementation strategy. A separate zone would allow the option to rezone specific areas of the city to the Neighborhood Community Commercial (NCC) zone and maintain the existing Community Commercial (CC) zone in other areas. This approach would allow the City Council to determine which areas of the city with the Community Commercial (CC) zone should have a maximum building height of 45-feet tall and which areas should maintain the currently allowed maximum building height of 60-feet tall.

V. Findings

At the September 23, 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.

VI. Community Involvement

In accordance with Arizona Revised Statutes and the Zoning Code, the work session before the Planning and Zoning Commission was advertised in the Arizona Daily Sun on July 25, 2020, which is 18 days before the scheduled meeting date.

As part of the virtual open house meetings held on July 15, 2020, and July 20, 2020, for the proposed Neighborhood Community Commercial (NCC) zone, the concept of rezoning the above-referenced neighborhoods was discussed. The virtual open house meetings were advertised in the Arizona Daily Sun on June 30, 2020, which is 15 days before the scheduled meeting date. Also, persons of interest on file with the Planning and Development Services section of the Community Development Department and property owners of lots and parcels that contain the Community Commercial (CC) zoning on file with the Coconino County Assessor's Office were notified of the virtual open house

meetings via first class mail. Persons on the HOH Plan and Regional Plan contact lists were also notified. In addition, the notification of the virtual open house meetings was posted on the City's Facebook page. Eight people attended the open house meetings.

In addition to the virtual open house meetings, a community survey was posted on the City's Community Forum website regarding the proposed Neighborhood Community Commercial (NCC) zone and the areas that could be rezoned. The notice was sent to individuals registered with the City's Community Forum website. Also, the option to provide public comments on the City's Community Forum website was included in the notices indicated above.

As of this memo's date, a total of 209 people, including emails, meetings, and visits to the Flagstaff Community Forum topic web page, have participated. The public comments on the Community Forum web page were split up by general public comments and property owner comments. The property owners were provided a separate web page on the notices that they were mailed. The property owner web page was not publicly available and was separated by each of the above-referred neighborhoods.

Several of the individuals that contacted staff for the one-on-one discussions identified themselves as property owners. It should be noted that the property owner responses have been low.

In summary, approximately 83% of the general public that responded indicated that they support the 45-foot-tall building height proposed for the Neighborhood Community Commercial (NCC) zone.

The following is a summary of the property owner responses:

- North End. Ten property owners responded to the Community Forum or had discussed the amendment with staff. Approximately 78% of the property owners did not support the 45-foot-tall building height proposed for the Neighborhood Community Commercial (NCC) zone.
- Southside. Eleven people viewed the Southside property owner Community Forum website, although no comments were provided on the website. Three people that contacted staff or attended the open house meeting identified themselves as property owners. One person did not support the building height or a change to the Zoning Map. One person was supportive of the building height of 45-feet tall in the Neighborhood Community Commercial (NCC) zone, although this comment was contingent upon the method used to implement the zone on the Zoning Map. One person did not respond.
- Sunnyside. Nine property owners responded to the Community Forum or had discussed the amendment with staff. Approximately 78% of the property owners were supportive of the building height of 45-feet tall in the Neighborhood Community Commercial (NCC) zone. One person indicated that the building height should be lower, such as one or two stories.

A summary of the public comments received is included as Attachment 2.

VII. **Conclusion:**

As indicated above, the purpose of the work session is for staff to present an overview of the proposed amendment to the Zoning Code and allow interested individuals, residents, and business owners to provide comments. Also, the work session allows for the Commission to ask questions, seek clarification, have discussions, and offer comments on the proposed amendment. 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 the Neighborhood Community Commercial (NCC)
2. Public Comments