

PLANNING AND DEVELOPMENT SERVICES REPORT

Zoning Code Text Amendment

PUBLIC HEARING

PZ-19-00123

DATE:

May 4, 2021

MEETING DATE:

May 26, 2021

REPORT BY:

Dan Symer, AICP

REQUEST:

Case No. PZ-19-00123: A request by the City to amend the Zoning Code to incorporate a new zone called Neighborhood Community Commercial (NCC).

STAFF RECOMMENDATION:

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

I. Proposed Amendment:

The proposed amendment (Attachment 2) incorporates a new zone called Neighborhood Community Commercial (NCC). The Neighborhood Community Commercial (NCC) zone is identical to the Community Commercial (CC), except that the allowed building height is 45 feet.

The primary purpose of the Neighborhood Community Commercial (NCC) zone is to provide the City Council and property owners a zone to implement the High Occupancy Housing Specific Plan's implementation strategy (Strategies to be implemented by 2019, bullet 5, page 102) and the Southside Community Plan's policy (Policies SMS 1.2. and SLW 1.2.) to lower the building height in the Community Commercial (CC) zone in the North End and Sunnyside Neighborhoods, and the Southside Main Streets and Live/Work Neighborhood areas from 60 feet to 45 feet. Since the Neighborhood Community Commercial (NCC) zone would be a new zone, it will allow the City Council the flexibility to determine which areas of Flagstaff with the Community Commercial (CC) zone should maintain the currently allowed maximum building height of 60 feet, such as certain properties adjacent to commercial corridor streets, and which areas should have a maximum building height of 45 feet.

It should be noted that no property will be rezoned to the Neighborhood Community Commercial (NCC) with this application.

II. Zoning Code Text Amendment

The Planning Director shall provide a recommendation to the Planning and Zoning Commission for its review. The 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 the following: 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 a recommendation on 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 amendment's primary purpose is to implement the High Occupancy Housing Specific Plan and the Southside Community Plan to limit the allowed building height to 45 feet on properties currently zoned Community Commercial (CC) and in the Southside Main Streets and Live/Work Neighborhood areas of the Southside in accordance with the strategy and policies referenced in Section I of this report. Furthermore, the adoption of the amendment would address multiple goals and policies of the Regional Plan and related specific plans. Staff's narrative and comprehensive Regional Plan and Specific Plan conformance analysis is included as Attachment #1. A summary of the goals and policies that the proposed Zoning Code Text Amendment is consistent and conforms with include:

- Providing a building height of 45 feet that is compatible with the older and historic neighborhoods and building forms, consistent with traditional development patterns of the "Historic" activity centers, assists in mitigating new development impacts on heritage resources, promotes compact development appropriate to the neighborhood framework and scale, and preserves viewsheds (Goals CC.3., LU.3., NH.6., S 2., and S 4. and Policies CC.2.3., CC.2.7., CC.2.8, CC.3.1., CC.3.2., LU.2.2., LU3.1, LU5.3, LU 10.3, LU18.9, LU19.2., N.H.1.2., NH.1.8., NH.6.1., HOH.1.2., HOH.2.1., S 2.4., SMS 1.2., and SLW 1.2.); and
- Providing a mix of residential and non-residential land uses that are compatible, mutually supportive, and assist in promoting a walkable environment that is derived from traditional and historic land use patterns that contribute to the overall community character (Goal LU.3., NH.6., and S 4. and Policies LU.2.2. LU.10.3., LU.10.5., and LU.18.2).

B. Finding #2

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

The provisions of the amendment are not anticipated to be detrimental to the public interest, health, safety, convenience, or welfare of the city. With the exception of the allowed building height, the proposed Neighborhood Community Commercial (NCC) zone is identical to the existing Community Commercial (CC) zone. The allowed building height in the proposed zone is 45 feet. The purpose of the 45-foot building height of the proposed Neighborhood Community Commercial (NCC) zone is to implement the public's interest identified in the High Occupancy Housing Specific Plan and the Southside Community Plan's goals, policies, and strategies.

C. Finding #3

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

The amendment is internally consistent, utilizes the existing format, and does not conflict with other Zoning Code provisions. It maintains the Zoning Code's purpose as a comprehensive contemporary set of land uses and requirements that are straightforward, usable, and easily understood.

III. CITIZEN PARTICIPATION

Public outreach was conducted in August 2019 as it pertains to modifying the Community Commercial (CC) zone building height from 60 feet to 45 feet, and additional public outreach was conducted in July 2020 pertaining to the proposed Neighborhood Community Commercial (NCC) zone. Over 210 people, including emails, letters, 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. In summary, approximately 83% of the general public that responded to the Community Forum topic supported the 45-foot building height. If the proposed Neighborhood Community Commercial (NCC) zone is adopted, it will allow the City Council and property owners to rezone areas of the North End, Southside, and Sunnyside neighborhoods to the proposed zone. A detailed summary of the public outreach and a separate email message received is included in Attachment 3.

IV. PLANNING AND ZONING COMMISSION WORK SESSION

On August 12, 2020, the Planning and Zoning Commission reviewed the proposed Neighborhood Community Commercial (NCC) zone and supported its creation. At the time, the Commission had general questions and comments regarding the locations where the proposed zone could be implemented.

V. CITY COUNCIL WORK SESSION

At the City Council Work Session of August 25, 2020, the City Council reviewed the proposed Neighborhood Community Commercial (NCC) zone and requested staff conduct additional public outreach as it pertains to the locations that the zone would be applied. On April 27, 2021, the City Council reviewed and supported creating the Neighborhood Community Commercial (NCC) zone and the methodology to conduct a neighborhood-by-neighborhood public outreach strategy after the zone's adoption to determine the locations and support to rezone areas of the North End, Southside, and Sunnyside neighborhoods to the proposed zone.

Attachments:

1. Application Narrative and Regional Plan Analysis
2. Draft of Case No. PZ-19-00123 Updates to Zoning Code 2019 – Neighborhood Community Commercial (NCC)
3. Summary of the Public Comments