

NOTICE AND AGENDA

ATTENTION

IN-PERSON AUDIENCES AT PLANNING & ZONING COMMISSION MEETINGS HAVE BEEN SUSPENDED UNTIL FURTHER NOTICE

The meetings will continue to be live streamed on the city's website (<https://www.flagstaff.az.gov/1461/Streaming-City-Council-Meetings>)

To participate in the meeting click the following link:

[Join Microsoft Team Meeting](#)

The public can submit comments that will be read at the dais by a staff member to CDPandZCommission@flagstaffaz.gov.

**PLANNING & ZONING COMMISSION
WEDNESDAY
January 26, 2022**

**COUNCIL CHAMBERS
211 WEST ASPEN AVENUE
4:00 P.M.**

1. Call to Order

2. Roll Call

NOTE: One or more Commission Members may be in attendance telephonically or by other technological means.

DAVID ZIMMERMAN, CHAIR
MARIE JONES, VICE CHAIR
DR. RICARDO GUTHRIE
CAROLE MANDINO

DR. ALEX MARTINEZ
DR. ERIC NOLAN
LLOYD PAUL

3. Public Comment

At this time, any member of the public may address the Commission on any subject within their jurisdiction that is not scheduled before the Commission on that day. Due to Open Meeting Laws, the Commission cannot discuss or act on items presented during this portion of the agenda. To address the Commission on an item that is on the agenda, please wait for the Chair to call for Public Comment at the time the item is heard.

4. APPROVAL OF MINUTES

Approval of the minutes from the regular meeting on Wednesday, January 12, 2022.

5. GENERAL BUSINESS

- A. Case No. PZ-21-00282:** Request for a worksession with the Planning and Zoning Commission to discuss the City's proposed amendment to the Zoning Code to modify the existing Residential Sustainable Building Standards (Section 10-30.70).

STAFF RECOMMENDED ACTION:

Does the Planning and Zoning Commission have any recommended modifications or considerations on the proposed Zoning Code Text Amendment?

6. MISCELLANEOUS ITEMS TO/FROM COMMISSION MEMBERS

7. **ADJOURNMENT**

CERTIFICATE OF POSTING OF NOTICE

The undersigned hereby certifies that a copy of the foregoing notice was duly posted at Flagstaff City Hall on January 21, 2022, at 3:30PM. This notice has been posted on the City's website and can be downloaded at www.flagstaff.az.gov.

Dated this 20 day of January, 2022.

Tammy Bishop, Administrative Specialist



Planning & Zoning Commission

5. A.

Meeting Date: 01/26/2022

From: Tiffany Antol, Senior Planner

Information

TITLE

Case No. PZ-21-00282: Request for a worksession with the Planning and Zoning Commission to discuss the City's proposed amendment to the Zoning Code to modify the existing Residential Sustainable Building Standards (Section 10-30.70).

STAFF RECOMMENDED ACTION:

Does the Planning and Zoning Commission have any recommended modifications or considerations on the proposed Zoning Code Text Amendment?

Attachments

Staff Report

Draft Amendment



**Community Development Department
Planning and Development Services**

Date: January 26, 2022
TO: Planning and Zoning Commission
FROM: Tiffany Antol, AICP, Senior Planner
Through: Alaxandra Pucciarelli, Current Planning Manager
RE: Planning and Zoning Commission Work Session

I. **Request:**

Case No. PZ-21-00282: Request for a work session with the Planning and Zoning Commission to discuss the City's proposed amendment to the Zoning Code to modify the existing Residential Sustainable Building Standards (Section 10-30.070).

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:

- January 26, 2022 – Planning and Zoning Commission Work Session
- January 27, 2022 – Sustainability Commission
- February 9, 2022 – Potential Planning and Zoning Commission Public Hearing
- February 15, 2022 – Potential City Council Public Hearing (1st Reading of Ordinance)
- March 1, 2022 – Potential City Council Public Hearing (2nd Reading of Ordinance/Adoption)

III. **Planning and Zoning Commission Questions:**

For your reference, below is the question that staff is seeking the Planning and Zoning Commission's comments and direction.

- Does the Planning and Zoning Commission have any recommended modifications or considerations on the proposed Zoning Code Text Amendment?

IV. **Overview of Proposed Amendment:**

The proposed amendment (Attachment 1) includes multiple changes to the Zoning Code. New provisions are being added, and several existing regulations are being deleted or modified. The most significant of the modifications include:

- Removing the Home Energy Rating System (HERS) 50 energy efficiency density bonus provisions;
- Incorporating density bonus provisions for all-electric energy efficient buildings and buildings that are constructed to comply with the U.S. Environmental Protection Agency's Energy Star, WaterSense, and Indoor airPLUS certifications;
- Incorporating Electric Vehicle Supply Equipment provisions;
- Revising the waste reduction requirements to include a Material Management Plan and a Construction and Demolition Waste Management Plan;
- Allowances for the Planning Director to enter into an agreement with property owners that comply with the Residential Sustainable Building Standards to increase their residential density by 25%; and
- Adding the term Electric Vehicle Supply Equipment (EVSE) to the definitions.

Summary of the Staff Revisions to the Zoning Code:

The proposed amendment includes:

1. Purpose (Section 10-30.70.010):

- The purpose has been updated to remove the references to the HERS 50 energy efficiency and align it with the proposed revisions that are intended to foster the production of energy and resource-efficient residential buildings.

2. Density Bonus (Section 10-30.70.030):

- The provisions have been modified to require that an entire development complies with the proposed minimum standards of Section 10-30.70.040 (Water Resource Protection, Transportation/Air Quality, Waste Reduction and Energy Efficiency) in order to receive a 25% increase in the maximum allowed density of a lot or parcels zone.
- Table 10-30.70.030.A: Percentage of Housing Units Meeting HERS 50 and Corresponding Density Bonus has been deleted. Since the HERS 50 energy efficiency standard is being replaced with the new provisions that require the entire development to comply with the proposed requirements, the table is no longer necessary.

3. Minimum Standards (10-30.70.040):

- Water Resource Protection. The existing provisions have been updated to include Mixed-Use Developments and common buildings of development to comply with reclaimed water, captured rainwater, or graywater.
- Transportation/Air Quality. The provisions that require a development to be located within ¼ mile of a FUTs trail or accommodate an electrical system designed for electric vehicle charging have been replaced with the following requirements:
 - Developments with five or more dwelling units shall provide parking spaces with Electric Vehicle Supply Equipment (i.e., charging equipment).

- Developments with less than five units shall provide a 240-volt outlet socket abutting at least one vehicle parking area per unit.

In addition, the route used to measure the distance from a permanent transit stop to a Development Site have been clarified.

- Waste Reduction. The provisions have been revised to incorporate:
 - A Materials Management Plan that includes the methods to capture and recycle paper, cardboard, eligible plastics, glass, and metals that are generated within the development during the occupancy of the building(s); and
 - A Construction and Demolition Waste Management Plan that includes the methods used during construction and demolition activities of development to divert reusable, salvageable, and recyclable debris material from being sent to the landfill.
- Energy Efficiency. The HERS 50 compliance requirements have been replaced with three energy efficiency development options. The three options are: 1) All-electric, Net Zero Energy Building; 2) All-electric, Energy-Efficient Building; and 3) An All-Electric Building that Earns Triple Certification for Energy, Water, and Air Quality. A developer may choose any one of those options to satisfy the code requirements.

4. **Development Agreement (10-30.70.040):**

- The provisions of this section have been updated to allow the Planning Director to enter into an agreement with a property owner to comply with the program requirements to obtain a density bonus.

5. **Definitions “E” (10-80.20.050):**

- The definitions have been updated to include the term Electric Vehicle Supply Equipment (EVSE), which is the equipment necessary to transfer energy between the premises wiring and an Electric Vehicle.

V. **Findings:**

At the February 9, 2022 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 Saturday January 8, 2022, which is 18 days before the scheduled meeting date.

As of the date of this memorandum, staff has not received any public comments on the proposed amendment.

Conclusion:

As indicated above, the purpose of the work session is for staff to present an overview of the Zoning Code's proposed amendment and allow interested individuals, residents, and business owners to provide comments. The work session also allows 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. Case No. PZ-21-00282 Updates to Zoning Code – Residential Sustainable Building Standards

Case No. PZ-21-00282 Updates to Zoning Code – Residential Sustainable Building Standards

Amendment for Adoption in Flagstaff Zoning Code

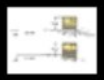
Staff Review Draft 1/14/2021

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, Division 10-30.70: Residential Sustainable Building Standards, Section 10-30.70.010 Purpose, as follows:

10-30.70.010 Purpose

- A. This division implements the City’s desire to foster the production of energy and resource efficient residential buildings ~~and the expansion and installation of renewable energy technologies.~~ The City recognizes that ~~energy~~ resources are scarce and valuable, and that one of the ways to develop a truly sustainable community is to encourage the development of sustainable buildings. ~~The standards in this division are interim requirements until such time as the City’s Building Code or Energy Conservation Code are amended with standards that meet or outperform the requirement for HERS 50 energy efficiency as provided in Section 10-30.70.040(D).~~

Section 2. Amend Title 10 Flagstaff Zoning Code, Division 10-30.70: Residential Sustainable Building Standards, Section 10-30.70.030 Density Bonus, subsection B Market Rate Residential Units and Table 10-30.70.030.A: Percentage of Housing Units Meeting HERS 50 and Corresponding Density Bonus, as follows:

10-30.70.030 Density Bonus

- B. Market Rate Residential Units. ~~For market rate residential units the density bonus established in Table 10-30.70.030.A shall apply:~~ **When a development complies with Section 10-30.70.040., a density increase of 25% above the maximum density permitted in the designated zone shall be**

allowed. The additional units and bedrooms shall not be included in the calculations for determining if a development is considered a High Occupancy Housing Development.

~~Table 10-30.70.030.A: Percentage of Housing Units Meeting HERS 50 and Corresponding Density Bonus~~

Market Rate Housing Units	
% of Units Meeting HERS 50 Standard	% of Density Bonus
25%	10%
50%	15%
75%	20%
100%	25%

Section 3. Amend Title 10 Flagstaff Zoning Code, Division 10-20.40: Permits and Approvals, Section 10-30.70.040 Minimum Standards, as follows:

10-30.70.040 Minimum Standards

~~In order to-~~ **To** qualify for density bonuses established in Section 10-30.70.030, Density Bonus, the ~~following minimum prerequisites (subsections (A) through (D) of this section) shall be satisfied~~ **development must meet requirements in the four following areas:**

- A. Water Resource Protection. ~~Each new~~ **The** development shall ~~apply~~ **comply with** at least one of the following:
 - 1. The landscape design for the development shall not include an oasis zone (hydrozone 1) as otherwise permitted in Section 10-50.60.050 (C), Oasis Allowance, and Section 10-50.60.060, Hydrozones; or
 - 2. ~~Multifamily residential developments of~~ **Developments with** 20 or more **dwelling** units shall be connected to the City’s reclaimed water system for use in irrigation; or
 - 3. ~~Housing units~~ **All buildings within a residential development** shall be dual plumbed so that rainwater captured in an active rainwater harvesting system can be used in addition to potable water subject to applicable State, County and City standards; or
 - 4. ~~Housing units~~ **All buildings within a residential development** shall be dual plumbed for the use of greywater in toilets subject to applicable State, County and City standards.
- B. Transportation and Air Quality. ~~Each new development shall apply at least one of the following:~~ **The development shall comply with subsection B.1. or B.2. of this section.**
 - ~~1. The development site is located within at least one quarter mile of a bus stop; or~~

~~2.—The development is located within at least one quarter mile of a FUTS trail or connected to it;
or~~

~~3.—Residential electrical systems are designed for electric vehicle charging.~~

1. Electric vehicle charging.

a. Developments with five or more dwelling units. Electric Vehicle Charging Supply Equipment (EVSE) shall be provided in accordance with Table 10-30.70.040.B.1.

Table 10-30.70.040.B.1. Parking spaces with EVSE for Residential Developments with more than 20 units	
Parking Spaces Provided	Spaces with Electric Vehicle Supply Equipment Required
1 – 50 Spaces	1 Space
51 – 100 Spaces	2 Spaces
101 and Above Spaces	3 Spaces

b. Developments with less than five dwelling units. All dwelling units shall have one vehicle parking space with an electrified 240-volt outlet socket.

2. The Development Site shall be located within 1,320 feet of a permanent transit stop. The distance between a permanent transit stop and Development Site shall be measured following a continuously improved sidewalk and/or public trail unless otherwise approved by the Director and Sustainability Director.

C. **Waste Reduction and Management.** ~~During Construction. Each new~~ The property owner of the development shall ~~have a written solid waste program that includes at least two of the following three elements:~~ obtain approval from the Sustainability Director, or designee of both a Materials Management Plan and a Construction and Demolition Waste Management Plan, both demonstrating a significant reduction in landfill waste. The plans shall be provided in accordance with the requirements on file with the City’s Sustainability program.

~~1.—A plan for the recycling or reuse of all paper, cardboard, plastics, and metals;~~

~~2.—A plan for the recycling or reuse of all lumber scraps so that they are diverted from the landfill; and~~

~~3.—A plan for the diversion of all masonry, gypsum and cementitious materials so that they are diverted from the landfill.~~

D. Energy Efficiency. The development shall comply with the requirements in one of the following categories and any required certification or verification of compliance shall be provided by an approved third-party verified/certified professional and approved by the Sustainability Director, or designee:

- ~~1. In order to qualify for the density incentive established in Table 10-30.20.050.A, Percentage of Affordable Housing Units and Corresponding Density Bonus, an efficiency standard that is 50 percent of the HERS Reference Home rating established in the 2003 International Energy Conservation Code as measured on the HERS (Home Energy Rating System) index shall be met. Solar collectors, including solar thermal and photovoltaic systems, may be installed to ensure that the residence qualifies.~~
- ~~2. An applicant applying the HERS rating system to receive the density bonuses allowed under Section 10-30.70.030, Density Bonus, shall obtain independent third-party verification that the minimum HERS rating has been achieved before the density bonus is applied, to the satisfaction of the Director and the Building Official.~~

1. All-electric, Zero Energy Building.

- a. All residential buildings, and residential areas of a Mixed Use Development, including residential leasing and operation areas, of the development shall be constructed in compliance with and verified as a Zero Energy Building as defined by U.S. Department of Energy; and
- b. Natural gas plumbing shall not be provided within the development.

2. All-electric, Energy-Efficient Building.

- a. All residential buildings, and residential areas of a Mixed-Use Development, including residential leasing and operation areas, of the development shall:
 - i. Achieve bronze-level certification within the National Green Building Standard (ICC-700), as amended, for all residential buildings of the development; and
 - ii. Be constructed to achieve a building energy efficiency that is equal to or greater than a 15% improvement over the City of Flagstaff's current energy code as specified in the Building Code. The U.S. Department of Energy's REScheck software, or another method approved by the Building Official shall be used to demonstrate compliance energy efficiency requirements; and
- b. Natural gas plumbing shall not be provided within the development, unless approved by the Sustainability Director, or designee. Acceptable exceptions for the use of natural gas include:
 - i. Fireplaces and outdoor grills provided in common and shared use areas and cooking appliances within non-residential uses of a Mixed Use Development; and
 - ii. Other uses that do not significantly increase the annual carbon emissions of the development, as approved by the Sustainability Director, or designee.

3. All-Electric Building with Verified Performance in Energy, Water, and Air Quality.

- a. All residential buildings and residential areas of a Mixed-Use Development, including residential leasing and operation areas, of the development shall achieve the U.S. Environmental Protection Agency's:

- i. Energy Star Multifamily New Construction Certification, or Energy Star for Homes New Construction Certification; and
- ii. Indoor airPLUS label; and
- b. All residential buildings will meet the requirements of the WaterSense for Homes 2.0 Mandatory Checklist, available on file with the City’s Sustainability Program.
- c. Natural gas plumbing shall not be provided within the development.

Section 4. Amend Title 10 Flagstaff Zoning Code, Division 10-20.40: Permits and Approvals, Section 10-30.70.050 Development Agreement, as follows:

10-30.70.050 ~~Development~~ Residential Sustainable Building Agreement

~~All applicants seeking to implement the residential sustainable building and affordable housing density bonuses allowed in Table 10-30.20.050.A, Percentage of Affordable Housing Units and Corresponding Density Bonus, shall enter into a development agreement with the City of Flagstaff. Refer to Section 10-20.40.060, Development Agreements.~~

- A. The property owner shall enter into a Residential Sustainable Building Agreement, or other agreement approved by the City, to allow an increase in residential density in accordance with the provisions of this Division. The agreement shall be in a form satisfactory to the City Attorney, or designee, and recorded against the property.

Section 5. Amend Title 10 Flagstaff Zoning Code, Division 10-80.20 Definition of Specialized Terms, Phrases, and Building Functions, Section 10-80.20.050 Definitions “E”, to add Electric Vehicle Supply Equipment (EVSE) in alphabetical order, as follows:

Section 10-80.20.050 Definitions “E”

Electric Vehicle Supply Equipment (EVSE). The conductors, including the ungrounded, grounded, and equipment grounding conductors, and the Electric Vehicle connectors, attachment plugs, and all other fittings, devices, power outlets, or apparatus installed specifically for the purpose of transferring energy between the premises wiring and the Electric Vehicle.