

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
FEBRUARY 9, 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 January 26, 2022

5. PUBLIC HEARING

- A. PZ-21-00282:** A request by the City of Flagstaff for a Zoning Code Text Amendment to modify the existing Residential Sustainable Building Standards (Division 10-30.70).

STAFF RECOMMENDED ACTION:

Staff recommends the Planning and Zoning Commission, in accordance with the required findings, make a recommendation to the City Council for approval of the 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 2/4/22 at 2:00 p.m. This notice has been posted on the City's website and can be downloaded at www.flagstaff.az.gov.

Dated this 4th day of February, 2022.

Tammy Bishop, Administrative Specialist



Planning & Zoning Commission

5. A.

Meeting Date: 02/09/2022

From: Tiffany Antol, Senior Planner

Information

TITLE:

PZ-21-00282: A request by the City of Flagstaff for a Zoning Code Text Amendment to modify the existing Residential Sustainable Building Standards (Division 10-30.70).

STAFF RECOMMENDED ACTION:

Staff recommends the Planning and Zoning Commission, in accordance with the required findings, make a recommendation to the City Council for approval of the Zoning Code Text Amendment.

Attachments

Staff Report

Application

Narrative and Regional Plan Analysis

Public Participation Plan

Draft Residential Sustainable Building Standards

PLANNING AND DEVELOPMENT SERVICES REPORT

Zoning Code Text Amendment

PUBLIC HEARING

PZ-21-00282

DATE: January 24, 2022

MEETING DATE: February 9, 2022

REPORT BY: Tiffany Antol, AICP

REQUEST:

City's request for a Zoning Code Text Amendment to modify the existing Residential Sustainable Building Standards

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 is to assist in implementing the goals and policies of the Flagstaff Regional Plan 2030, the Climate Action and Adaptation Plan, and the Flagstaff Carbon Neutrality Plan. To assist in achieving these goals and policies, multiple changes to the Zoning Code's Residential Sustainable Building Standards are proposed. New provisions are being added, and several existing regulations are being deleted or modified. The most significant of the modifications include:

- Removing the 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 one of several available energy efficiency certification;
- 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 residential 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 permitted in the designated zone.
- Table 10-30.70.030.A: Percentage of Housing Units Meeting HERS 50 and Corresponding Density Bonus has been deleted. The HERS 50 energy efficiency standard is being replaced with the new provisions that require the entire development to comply with the proposed requirements.

3. Minimum Standards (10-30.70.040):

- Water Resource Protection. The existing provisions have been updated to include all buildings within a residential development comply with reclaimed water, captured rainwater, or graywater.
- Transportation and Air Quality. The provisions have been updated to require a residential development to be located within ¼ mile of a permanent transit stop or accommodate electric vehicle charging as follows:
 - 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 dwelling 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 and a Construction and Demolition Waste Management Plan that demonstrates a significant reduction in landfill waste prepared in accordance with the requirements on file with the City's Sustainability program and approved by the Sustainability Director, or their designee.
- 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.

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 Regional Plan's (General Plan) goals and policies related to the production of energy and resource-efficient residential buildings. Therefore, the proposed modifications are intended to incentivize developers by providing a density bonus for developments constructed in conformation with the proposed Residential Sustainable Building Standards of the Zoning Code. The existing, modified, and proposed Zoning Code provisions address multiple goals and policies of the Regional Plan. These include:

- Assisting in improving Flagstaff's air quality by reducing carbon and smoke emissions and greenhouse gases from fossil fuel appliances, vehicles, and energy inefficient buildings (Regional Plan Goals E&C.1. and E&C.2, and Policies E&C.1.2, E&C.2.2., E&C.2.3, and E&C.3.2.);
- Assisting Flagstaff to achieve carbon neutrality and contribute to the community image by requiring developments to utilize all-electric applications, to be located near public transit and provide electric vehicle supply equipment, and to utilize energy-efficient construction technology and appliances (Regional Plan Goals E&C.2, and Policies E&C.1.2, E&C.2.1., E&C.2.4., ED.7.1., and E.1.5.);
- Allowing the use of reclaimed and gray water and rainwater by requiring developments to provide appropriate plumbing to use these water types (Regional Plan Policy WR.3.4);
- Providing density bonuses as a method to promote land use patterns that increase energy efficiency, and incentivize developments that utilize green construction methods, cost and energy efficiency technologies, and conserve natural resources (Regional Plan Goal E.1, and Policies E.1.3, E.1.4., E.1.4., E.1.6., E.1.7., and E.1.10.); and
- Extending the landfill's life by requiring developments during construction, demolition, and occupation to reuse, recycle, and salvage eligible debris material (Regional Plan Policies PF.1.7.).

It should be noted that the proposed modifications also assist in implementing the City Council adopted Climate Action and Adaption Plan and Flagstaff Carbon Neutrality Plan.

B. Finding #2

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

The amendment provisions are not anticipated to be detrimental to the public interest, health, safety, convenience, or welfare of the City. The proposed provisions are intended to provide efficient residential buildings that minimize a development's overall energy, air, water, and waste material environmental impacts.

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

Persons of interest on file with the Planning and Development Services section of the Community Development Division were notified of the Planning and Zoning Commission and City Council work sessions and public hearing via first-class mail. Moreover, notification of the work sessions and public hearings were published on the City's Facebook and in the Arizona Daily Sun. As of the date of this report, staff has received questions from one member of the public.

V. PLANNING AND ZONING COMMISSION WORK SESSION

At the Planning and Zoning Commission Work Session of January 26, 2022, staff reviewed the proposed Zoning Code Text Amendment application with the Commission. The Commission had general questions regarding the enforcement of incentive provisions.

I. SUSTAINABILITY COMMISSION

At the Sustainability Commission's meeting on January 27, 2022, staff reviewed the text amendment application with the Commission. The Commission unanimously recommended approval of the text amendment.

Attachments:

1. Application
2. Narrative and Regional Plan Analysis
3. Public Participation Plan
4. Draft of Case No. PZ-21-00282 Updates to Zoning Code – Residential Sustainable Building Standards



City of Flagstaff

Community Development Division

211 W. Aspen Ave
 Flagstaff, AZ 86001
 www.flagstaff.az.gov

P: (928) 213-2618
 F: (928) 213-2609



Date Received	Application for Zoning Code Text Amendment			File Number PZ-21-00282
Applicant(s)/Property Owner(s) City of Flagstaff	Title	Phone	Email	
Mailing Address 211 West Aspen Road		City, State, Zip: Flagstaff, Arizona 86001		
Representative (If applicable) Jenny Niemann and Dan Folke	Title	Phone 928-213-2913	Email JNiemann@flagstaffaz.gov dfolke@flagstaffaz.gov	
Mailing Address 211 West Aspen Road		City, State, Zip: Flagstaff, Arizona 86001		

Property Address City wide	City, State, Zip Flagstaff, Arizona
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Application Name: Updates to Zoning Code – Residential Sustainable Building Standards
Zoning Code Text Amendment
Chapter Name and Number: Title 10 Flagstaff Zoning Code
Division Name and Number: Division 10-30.70: Residential Sustainable Building Standards and Division 10-80.20 Definition of Specialized Terms, Phrases, and Building Functions
Section Name and Number: Multiple Sections of the Zoning Code, see draft Zoning Code Text Amendment

Additional Information: The purpose of the proposed amendment is to amend the Residential Sustainable Building Standards and incentives of the Zoning Code to promote the use of electric appliances and Carbon Neutral development, and minimize land fill waste.
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Planning Director Signature (required) <i>[Signature]</i>	Date: 12.10.21	Representative Signature (If applicable)	Date:
For City Use			
Date Filed:	File Number(s): PZ-21-00282	Fee Receipt Number:	
P & Z Hearing Date:	Publication and Posting Date:	Amount:	
Council Hearing Date:	Publication and Posting Date:	Date:	
Received by:	Comments:		

Residential Sustainable Building Standards Zoning Code Text Amendment

Narrative and Regional Conformance Analysis

Narrative

The purpose of Division 10-30.70: Residential Sustainable Building Standards is to incentivize the production of energy and resource-efficient residential buildings. Initially adopted in November 2011, the code provisions incentivized more efficient buildings. Two years later, the Regional Plan 2030 was ratified, including additional goals and policies advancing energy and resource-efficient buildings. The recent adoption of the Climate Action and Adaptation Plan and the Flagstaff Carbon Neutrality Plan have added goals and policies to minimize Flagstaff's environmental impacts. On June 23, 2020, the Flagstaff City Council unanimously declared a Climate Emergency. With the advancement of the City's goals and policies, the industry's technological and efficiency advancements, and the Climate Emergency declaration, the existing Zoning Code provisions have become dated. Therefore, it is necessary to update the above-referenced Division of the Zoning Code to continue promoting and incentivizing energy and resource-efficient residential buildings to achieve the City's most recent goals and policy objectives.

To assist in achieving the above-referenced goals and policies, multiple changes to the Zoning Code's Residential Sustainable Building Standards are proposed. Proposed provisions are being added, and several existing regulations are being deleted or modified. The most notable modification is the removal of the Home Energy Rating System (HERS) 50 energy efficiency density bonus incentive provisions. The HERS 50 provisions are being replaced with three energy efficiency development options which may be utilized to receive a density bonus. 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. These proposed provisions are more aligned and assist in implementing the goals and policies of the Regional Plan 2030, Climate Action and Adaptation Plan, and the Flagstaff Carbon Neutrality Plan.

Regional Plan Conformance

The Regional Plan analysis supports the proposed Zoning Code Text Amendment as part of the required findings. The Regional Plan has 97 goals and over 300 policies, which sometimes conflict or are given different weight in decision making. The applicable policies are analyzed by chapter below. No conflicting policies were identified with the proposed amendment.

Chapter IV - Environmental Planning & Conservation

- Goal E&C.1. Proactively improve and maintain the region's air quality.
- Policy E&C.1.2. Pursue reduction of total emissions of high-priority pollutants from commercial and industrial sources and area wide smoke emissions.
- Goal E&C.2. Achieve carbon neutrality for the Flagstaff community by 2030.
- Policy E&C.2.1. Encourage the reduction of energy and material consumption.
- Policy E&C.2.2. Promote investments that create a more connected and efficient community, decrease emissions from transportation and building energy, and strengthen climate resiliency.
- Policy E&C.2.3: Review and revise existing regulations, standards, and plans (codes, ordinances, etc.) to reduce community greenhouse gas emissions.
- Policy E&C.2.4: Promote developments that help the community achieve carbon neutrality through strategies that reduce the project's emissions from transportation, energy, and consumption.
- Policy E&C.3.2. Review and revise existing regulations, standards, and plans (codes, ordinances, etc.) to reduce the community's vulnerability to climate change impacts and reduce the disproportionate impacts on vulnerable communities.

Chapter XIII – Neighborhoods, Housing, & Urban Conservation

- Policy NH.4.4. Encourage green practices in housing construction and rehabilitation that support durable, healthy, and energy-efficient homes.

Chapter XIV - Economic Development

- Policy ED.7.1. Support planning, design, and development that positively, creatively, and flexibly contribute to the community image.

Chapter VI -Water Resources

- Policy WR.3.4. Use reclaimed water and rainwater harvesting wherever appropriate and practical.

Chapter VII - Energy

- Goal E.1. Increase energy efficiency.
- Policy E.1.3. Empower all community members to make smarter energy choices through education and incentives.
- Policy E.1.4. Promote cost-effective, energy-efficient technologies and design in all new and retrofit buildings for residential, commercial, and industrial projects.
- Policy E.1.5. Promote and encourage the expansion and use of energy-efficient modes of transportation: a. Public transportation, b. Bicycles, c. Pedestrians.
- Policy E.1.6. Develop land use regulations promoting land use patterns that increase energy efficiency.
- Policy E.1.7. Support policies and programming that reduce electricity, natural gas, and water consumption in order to conserve natural resources and reduce financial costs.
- Policy E.1.10. Incentivize energy efficiency and renewable energy technologies in construction projects.

Chapter XII - Public Buildings, Services, Facilities, & Safety

- Policy PF.1.7. Develop strategies and take meaningful steps towards extending the life of the landfill.

To assist in implementing the above referenced goals and policies, the proposed Zoning Code Text Amendment includes density incentives for developers that meet minimum standards in regard to water resource protection, transportation and air quality, waste reduction, and energy efficiency. The purpose of the incentive is to encourage developers to provide housing that supports the City goals and policies and provides options for Flagstaff residents to acquire dwellings constructed with energy and cost-efficient technology that conserves natural resources. The amendment requires energy-efficient developments that comply with one of the three options: 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. In addition, the proposed provision requires all developments to provide electric vehicle supply equipment or be located within ¼ mile of a permanent transit stop. To assist in implementing this policy, the existing waste reduction requirements have been revised to include a Material Management Plan and a Construction and Demolition Waste Management Plan. One of the primary objectives of including the proposed plans is to divert recyclable, reusable, and salvageable debris material from reaching the landfill. The landfill's life is extended by diverting these materials to be used for other purposes since they would not utilize landfill area.

Conformance with Applicable Specific Plans - High Occupancy Housing

Goal 9 of the High Occupancy Housing Specific Plan is to “Promote affordability and sustainability incentives.” The policies under this goal are about creating more effective incentives for sustainability

and affordability that expand their use in the context of High Occupancy Housing construction. This Zoning Code amendment addresses that policy by stating that “The bonus density, including the bedrooms of these dwelling units, shall not be included in the calculations for determining if a development is considered a High Occupancy Housing Development.” The amendment sets the standard for receiving a sustainability bonus at a level that is higher than the existing building code, which was another issue identified in the High Occupancy Housing Specific Plan

Climate Action and Adaption Plan and Flagstaff Carbon Neutrality Plan

The incentive furthers the following goals and strategies of the Carbon Neutrality Plan:

The proposed amendment incorporates several all-electric provisions that are aimed at minimizing the release of carbon-based pollutants and reducing the total emission of a development. The provisions include efficient energy, water, and air quality compliance certifications, which assist in reducing buildings' energy consumption. Also, the proposed provisions include requirements to reuse and recycle eligible materials and the installation of electric vehicle supply equipment. In addition, multiple-family developments are required to be within ¼ mile of a permanent transit stop, which assists in promoting more efficient transportation modes. Together, the proposed provision strengthens climate resiliency, minimizes greenhouse gas emissions, and assists Flagstaff in achieving carbon neutrality. Furthermore, the proposed modification will assist in promoting and contributing to Flagstaff's quality of life that its existing and future residents and businesses seek.

RESIDENTIAL SUSTAINABLE BUILDING STANDARDS ZONING CODE TEXT AMENDMENT PUBLIC PARTICIPATION PLAN

December 19, 2021

I. PURPOSE

The primary purpose of this Zoning Code Text Amendment is to update a variety of miscellaneous Zoning Code Amendments to remove conflicts and simplify the requirements.

This Public Participation Plan will serve as the guiding methodology to provide opportunities to the public to participate and provide public comments regarding the proposed Zoning Code Text Amendment.

IAP2 Spectrum of Public Participation Level: Inform

- Inform to provide the public with balanced and objective information to assist them in understanding the problems, alternatives and/or solutions. Consult to obtain public feedback on analysis, alternatives and/or decisions.

II. FORUM(S), OPEN HOUSE(S) AND NON-REQUIRED WORK SESSION(S)

Opportunities for the public discussion and to provide comments on the proposed Zoning Code Text Amendment will be provided at a work session with the Sustainability Commission on January 27, 2022.

III. REQUIRED WORK SESSIONS AND PUBLIC HEARINGS

The Zoning Code's required Citizen Review work session with the Planning and Zoning Commission will be held at least 14 days prior to the Planning and Zoning Commission's public hearing to provide a recommendation to the City Council on the proposed Zoning Code Text Amendments. The required work sessions and public hearings are anticipated to be as follows:

- 01/26/2022 – Planning and Zoning Commission Required Work Session
- 02/09/2022 – Planning and Zoning Commission Public Hearing
- 02/15/2022 – City Council 1st Public Hearing
- 03/01/2022 – City Council 2nd Adoption

IV. METHODOLOGY OF PUBLIC NOTICE

Notification to property owner and public will be provided in several methods. These will include:

- First class mail post card notices will be sent to all individual, unless otherwise indicated hereinafter, on the interested parties/notification list on file with the Planning and Development Services a minimum of 15 days prior to any neighborhood meeting and public hearings. Note. Certain individuals on the referenced list requested to be notified via email, instead of First-class mail notice.

- Eighth-page ads in the Arizona Sun will be published at least 15 days prior to any required work sessions and public hearings.
- The City Council and Planning and Zoning Commission meeting and work session agendas that include this amendment will be posted at the City Hall and on the City website.

V. MODIFICATION TO THE PUBLIC PARTICIPATION PLAN

From time-to-time, the Public Participation Plan may be amended to add additional work sessions, open house meetings, public hearings, internet public comment opportunities, and associated dates and times. The Zoning Code Manager shall inform the Planning Director of such modifications, and update the plan accordingly. Modifications that eliminates a public comment opportunity from an approved plan shall require that the amended Public Participation Plan be reapproved by the Planning Director.

PLAN APPROVAL

x 

Alexandra Pucciarelli
Acting Planning Director

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


Amendment for Adoption in Flagstaff Zoning Code

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.