

CITY OF FLAGSTAFF

STAFF SUMMARY REPORT

To: The Honorable Mayor and Council
From: Bethan Heng, Planner
Date: 11/01/2023
Meeting Date: 11/21/2023



TITLE:

Consideration and Adoption of Resolution No. 2023-XX and Ordinance No. 2023-XX:

A Resolution of the City Council of the City of Flagstaff, Coconino County, Arizona, declaring as a public record that certain document filed with the City Clerk entitled "PZ-23-00130 Updates to Zoning Code – Open Space Terminology" and an Ordinance of the City Council of the City of Flagstaff Coconino County, Arizona, amending the Flagstaff City Code, Title 10, Flagstaff Zoning Code, to modify the existing Open Space Terminology.

STAFF RECOMMENDED ACTION:

At the November 21, 2023, Council Meeting:

- 1) Read Resolution No. 2023-XX by title only for the first time
- 2) City Clerk reads Resolution No. 2023-XX by title only (if approved above)
- 3) Read Ordinance No. 2023-XX by title only for the first time
- 4) City Clerk reads Ordinance No. 2023-XX by title only (if approved above)

At the December 5, 2023, Council Meeting:

- 5) Adopt Resolution No. 2023-XX
- 6) Read Ordinance No. 2023-XX
- 7) City Clerk reads Ordinance No. 2023-XX by title only (if approved above)
- 8) Adopt Ordinance No. 2023-XX

Executive Summary:

The current code interchangeably refers to the current terms of "Common Open Space" and "Private Open Space" as "Open Space", despite the different meanings. Changing the terms to "Common Space" and "Private Space" will ensure consistency of terminology throughout the Flagstaff Zoning Code and differentiate between amenity space required in private development versus preserved open space areas.

In addition, "Common Space" and "Private Space" are development standards regulated by Planning and Zoning while "Open Space" is regulated by PROSE. Renaming terminology will clarify existing ambiguity for respective governing bodies.

Financial Impact:

There are no anticipated financial impact affiliated with the proposed Zoning Code Text Amendment.

Policy Impact:

There are no anticipated policy impacts affiliated with the proposed Zoning Code Text Amendment.

Connection to PBB Priorities/Objectives, Carbon Neutrality Plan & Regional Plan:

Priority Based Budget Key Community Priorities and Objectives

Provide amenities & activities that support a healthy lifestyle.
Achieve a well-maintained community through comprehensive & equitable code compliance, & development that is compatible with community values.

Carbon Neutrality Plan

Encourage vibrancy, appropriate density, and attainability in existing neighborhoods, so that residence can live within walking distance to their daily needs.

Regional Plan

Staff's analysis of the Regional Plan's goals and policies is included below under Key Considerations under the Zoning Code Text Amendment Criteria heading, Finding #1 of this report.

Has There Been Previous Council Decision on This:

There has not been a previous City Council decision on this ordinance.

Options and Alternatives:

The City Council may adopt, modify, or deny the proposed amendment.

Background/History:

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

- Modifying existing and adding new definitions "Common Space" and "Private Space".
- Changing terminology within the Flagstaff Zoning Code to the following – "Common Space" and "Private Space".

The proposed amendment includes:

1. Replacing terminology in the following sections:
 - 10-00.050 Form Based Codes
 - 10-20.30.080 Notice of Public Hearings
 - 10-20.40.050 Conditional Use Permits
 - 10-30.20.040 Affordable Housing Incentives
 - 10-30.60 Site Planning Design Standards
 - 10-30.60.030 General Site Planning Standards
 - 10-30.60.050 Compatibility
 - 10-30.60.060 Building Placement Standards
 - 10-30.60.080 Pedestrian and Bicycle Circulation Systems
 - 10-30.60.090 Open Spaces, Civic Spaces and Outdoor Public Spaces
 - 10-40.30.030 Residential Zones
 - 10-40.60.030 Accessory Dwelling Units (ADUs)
 - 10-40.60.120 Co-housing
 - 10-40.60.120 Manufactured Home Park
 - 10-40.60.260 Mixed Use
 - 10-50.100.060 Permanent Signs
 - 10-50.110 Specific to Building Types
 - 10-70.10.040 Additional Standards

2. Modifying existing definitions and adding new definitions:

- Section 10-80.20.020 Definitions “B”
- Section 10-80.20.030 Definitions “C”
- Section 10-80.20.150 Definitions “O”
- Section 10-80.20.160 Definitions “P”

Key Considerations:

An application for a Zoning Text Amendment shall be submitted to the Planning Director and shall be reviewed and a recommendation prepared. The Planning 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: 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 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 use of open space within the City of Flagstaff. The proposed text amendment is intended to implement consistency throughout the Flagstaff Zoning Code and the nature of it is clerical. While the Flagstaff Regional Plan has a designated chapter to Open Space, there are no specific goals or policies that differentiate between Common Open Space or Private Open Space. Therefore, Finding #1 does not apply.

B. Finding #2: The proposed amendment will not be detrimental to the public interest, health, safety, convenience, or welfare of the City.

The proposed amendment is not anticipated to be detrimental to the public interest, health, safety, convenience, or welfare of the City.

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.

Community Involvement:

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 legal ad posting in the Arizona Daily Sun on September 23rd, 2023. As of the date of this report, staff has received no public comment.

At the PROSE / Open Space Commission's meeting on June 26th, 2023, staff reviewed the text amendment application with the Commission. The Commission was in support of the changes in Open Space terminology.

Staff held a Zoning Code Open House on October 19th, 2023 to discuss the Open Space Terminology text amendment.

Staff brought the proposed text amendment to a work session with Planning and Zoning Commission on October 11, 2023 and for a public hearing on October 25, 2023.

As of the preparation of this report, staff has not received any comments from the public.

Attachments:

Application

Draft of Case No. PZ-23-00130 Updates to Zoning Code – Open Space Terminology