

Open Space Terminology Text Amendment

City Council – Public Hearing
November 21, 2023
PZ-23-00130

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Open Space Terminology Text Amendment



Overview

- Modifying existing terminology and their definitions –
 - “Common Open Space” to “Common Space”
 - “Private Open Space” to “Private Space”
- Update the Flagstaff Zoning Code with the correct terminology.



Open Space Terminology Text Amendment



Overview

Common ~~Open~~ Space: ~~See "Open Space, Common."~~ The minimum amount of open space area **within a development or subdivision** intended or reserved for the use and enjoyment of all owners and occupants, including but not limited to areas set aside for resource protection, passive and active recreation, gardens, and landscape areas.

Private ~~Open~~ Space: ~~See "Open Space, Private."~~ The minimum amount of private unenclosed area required **per dwelling unit within a development or subdivision** provided as covered and uncovered outdoor yard areas, patios, porches, decks, and balconies, but excluding stairs and landings.



Open Space Terminology Text Amendment



	“Open Space”	“<u>Common</u> Open Space”	“<u>Private</u> Open Space”
Area Specification	“Undeveloped space or area”	“Within a development”	“With each unit”
Purpose	“...maintain or enhance the conservation of natural or scenic resources.”	“...for the use and enjoyment of all owners and occupants..”	“...outdoor yard areas, patios, decks and balconies.” ie. Personal Use.
Purview	PROSE (Parks, Recreation, Open Space, and Events)	Planning and Zoning	Planning and Zoning



Examples of “Common Open Space”

Open Space, Common: The minimum amount of open space area within a development intended or reserved for the use and enjoyment of all owners and occupants, including but not limited to areas set aside for resource protection, passive and active recreation, gardens, and landscape areas.

Presidio in the Pines



Butterfield Apartments on Soliere Ave





Examples of “Private Open Space”

Open Space, Private: The minimum amount of private open area required with each unit provided as outdoor yard areas, patios, decks and balconies, but excluding stairs, entrance decks, and/or landings.
Does not include setbacks.

Aspen Place at Sawmill





Examples of “Open Space”

Open Space: Any undeveloped space or area characterized by great natural scenic beauty or whose existing openness, natural condition, or present state of use, if retained, would maintain or enhance the conservation of natural or scenic resources.



Observatory Mesa Natural Area



Picture Canyon Natural and Cultural Preserve



Staff Recommendation

Findings for Zoning Code Text Amendments:

- (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.**



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Staff Recommendation

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.



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Staff Recommendation

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.



Staff Recommendation

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.



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PROSE

June 26, 2023 -

Proposed Open Space Terminology Text Amendment was brought to PROSE as an informational item.

September 25, 2023 -

The drafted Open Space Terminology Text Amendment was brought to PROSE for review. PROSE responded that they would like a new definition “Legally Designated Open Space” added to the Flagstaff Zoning Code.

Adding the new definition would not enact existing code as the term is not used within the Flagstaff Zoning Code.



Open Space Terminology Text Amendment



Planning and Zoning Commission

October 11, 2023 -

Proposed Open Space Terminology Text Amendment was brought to Planning and Zoning Commission in a Work Session.

October 25, 2023 -

Proposed Open Space Terminology Text Amendment was brought to Planning and Zoning Commission in a Public Hearing.

Planning and Zoning Commission voted unanimously in favor of the Text Amendment.



Open Space Terminology Text Amendment



Public Comment

To date, staff has received one (1) public comment regarding this Text Amendment.

Staff held an Open House to discuss the Text Amendment on October 19th, 2023.



Open Space Terminology Text Amendment



Recommendation

Planning and Zoning Commission forwards a recommendation of approval to the City Council for the Zoning Code Text Amendment.



Open Space Terminology Text Amendment



Current Open Space Definitions

Open Space: Any undeveloped space or area characterized by great natural scenic beauty or whose existing openness, natural condition, or present state of use, if retained, would maintain or enhance the conservation of natural or scenic resources.

Open Space, Common: The minimum amount of open space area within a development intended or reserved for the use and enjoyment of all owners and occupants, including but not limited to areas set aside for resource protection, passive and active recreation, gardens, and landscape areas.

Open Space, Private: The minimum amount of private open area required with each unit provided as outdoor yard areas, patios, decks and balconies, but excluding stairs, entrance decks, and/or landings. Does not include setbacks; see "Setback."



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Proposed new definitions

Common ~~Open~~ Space: ~~See "Open Space, Common."~~ The minimum amount of open space area **within a development or subdivision** intended or reserved for the use and enjoyment of all owners and occupants, including but not limited to areas set aside for resource protection, passive and active recreation, gardens, and landscape areas.

Private ~~Open~~ Space: ~~See "Open Space, Private."~~ The minimum amount of private unenclosed area required **per dwelling unit within a development or subdivision** provided as covered and uncovered outdoor yard areas, patios, porches, decks, and balconies, but excluding stairs and landings.



Text Example 1

- **Table 10-40.30.030.C** for Residential Zones - Building Form and Property Development Standards
- (Footnote 11) - **Common open space** as required in Division 10-50.110, Specific to Building Types, and areas set aside for resource preservation such as floodplains, slopes and forests (Division 10-50.90, Resource Protection Standards) may be used to satisfy this standard. In this context, **“open space”** includes active and passive recreation uses, landscape areas, and community gardens.



Text Example 2

Table 10-40.30.030.G

G. Miscellaneous Requirements – MR and HR Zones.

1. Common **open space** for other building types not specifically listed in Division 10-50.110, Specific to Building Types, such as an apartment complex, shall be provided based on the following standards:

Table 10-40.30.030.G.: Common Open Space Requirements	
Area ¹	15% of gross lot area; at least one open space area shall be no less than 400 sq. ft.
Width	15' min.
Depth	15' min.
No private open space is required	
End Notes	
1. Roof decks and courtyards are included in the open space area calculation, but not driveways or vehicle parking areas.	

2. In addition to the 15 percent **open space** requirement established in Table 10-40.30.030.C, residential projects over 50 units or more shall provide a minimum of five percent civic space. (See Section 10-30.60.090, **Open Spaces**, Civic Spaces, and Outdoor Public Spaces.)



Text Example 3

10-30-20.040 - Under “Affordable Housing Incentives” –
“Adjustment of Property Development Standards” as an incentive.

“For the purposes of this section, the “property development standards” means building form, building placement, building types, encroachments and frontage types, fences and screening, landscape standards, lot requirements, open space, parking standards and required parking, private frontage types, and any other amount, area, dimension, quantity, size, or design requirement of the Zoning Code as determined by the Zoning Administrator.