

**PLANNING & DEVELOPMENT SERVICES REPORT
CONDITIONAL USE PERMIT**

PUBLIC HEARING
PZ-23-00125

DATE: August 5, 2023
MEETING DATE: August 23, 2023
REPORT BY: Bethan Heng

REQUEST:

A Conditional Use Permit request from Hugh McMahon on behalf of Two Hawks Design and Development to allow a Single-Family High Occupancy Housing Development in the Single-Family Residential (R1) Zone at 3699 South Woodland Hills Drive in the Estates at Pine Canyon Pine Run subdivision. The proposal is for a 5,790 square foot, 5-bedroom, 5 bathroom, single-family dwelling on approximately 0.55 acres.

STAFF RECOMMENDATION:

In accordance with the findings presented in this report, staff recommends approval of PZ-23-00125 with conditions.

PRESENT LAND USE:

Currently an undeveloped parcel within a platted subdivision.

PROPOSED LAND USE:

The applicant proposes to develop a single-family dwelling that is viewed per the Flagstaff Zoning Code as high-occupancy housing.

NEIGHBORHOOD DEVELOPMENT:

Property is within the Pine Canyon golf club community.

North: Pine Canyon Golf Course, R1 Zone
South: Single-Family Dwelling, R1 Zone
East: Single-Family Dwelling, R1 Zone
West: Single-Family Dwelling, R1 Zone

STAFF REVIEW:

I. Project Information

A. Background

Section 10-40.30.030.B of the Flagstaff Zoning Code, Residential Zones - Allowed Uses, identifies “High Occupancy Housing Development, Single-Family” as an allowed land use in the Single-Family Residential (R1) Zone subject to the approval of a Conditional Use Permit (CUP) by the Planning Commission. Adopted on November 17, 2020, and effective on March 21, 2021, the High Occupancy Housing Development (HOHD) Zoning Code standards require that a Single-Family Dwelling with seven or more bedrooms, and/or five or more sanitation facilities, obtain a Conditional Use Permit before a building permit can be issued.

On June 7, 2023, an application for a 5-bedroom, 5-bathroom, single-family residence was submitted for a building permit in the Estates at Pine Canyon Pine Run subdivision. The applicant revised the submitted plans to develop a 5-bedroom, 4-bathroom residence, allowing them to begin construction prior to obtaining a Conditional Use Permit. The approximately 17.50-acre residential subdivision contains 26 lots and has a density of 1.49 units per acre. The subdivision is located along East Del Rae Drive within the Pine Canyon master planned community. Each of the lots will be accessible from Woodland Hills Drive, which can be accessed from East Del Rae Drive. The lots that have been developed contain large, estate-style homes. The entire subdivision is subject to Resource Protection standards, but it is not located in a Pedestrian Shed of an Activity Center as depicted in the Regional Plan.

Section 10-40.60.175 of the Flagstaff Zoning Code contains additional standards for High Occupancy Housing Developments. This includes the requirement that the property owner shall maintain compliance with the Flagstaff Police Department's Crime Free Multi-Housing Program, unless exempted by the Police Department's representative. The structure is also required to be at least 10 feet or one third of the height of the building from any other structures on the parcel or on adjacent parcels. This results in a minimum separation of 11.8 feet, based on the approved height of the building at 35 feet and 4.5 inches. As a single-family HOHD, the structure must also meet the additional parking requirements of one parking space per bedroom. The proposed on-site parking is adequate to meet this requirement.

B. Required Findings

The Planning Commission may approve the Conditional Use Permit only after making the following five findings:

i. Finding #1:

The conditional use is consistent with the objectives of the Zoning Code and the purpose of the Zone in which the site is located.

"The Single-Family Residential (R1) zone applies to areas of the City intended for single-family residential development. The affordable and planned residential development options in this zone are intended to provide design flexibility for residential development and more efficient and effective use of open space, while creating transitional areas into nonresidential or higher density residential zones and protecting areas with sensitive environmental characteristics."

(FZC 10-40.30.030)

The R1 Zone allows High Occupancy Housing Development uses with the granting of a Conditional Use Permit. The primary reason for the Conditional Use Permit is to protect the uses that are allowed by right which may be incompatible with High Occupancy Housing Development.

ii. Finding #2

That granting the conditional use will not be detrimental to the public health, safety or welfare.

If the proposed project is developed in accordance with City codes, standards and requirements, the project should not be detrimental to the public health, safety, or welfare.

iii. ***Finding #3***

The characteristics of the conditional use as proposed, and as it may be conditioned, are reasonably compatible with the types of uses permitted in the surrounding area. The Conditional Use Permit shall be issued only when the Planning Commission finds that the Applicant has considered and adequately addressed the following to ensure that the proposed use will be compatible with the surrounding area (FZC 10-20.40.050.E.3):

- Access, traffic, and pedestrian, bicycle and vehicular circulation;
- Adequacy of site and open space provisions, including resource protection standards, where applicable;
- Noise, light, visual and other pollutants;
- Proposed style and siting of structure(s), and relationship to the surrounding neighborhood;
- Landscaping and screening provisions, including additional landscaping in excess of otherwise applicable minimum requirements;
- Impact on public utilities;
- Signage and outdoor lighting;
- Dedication and development of streets adjoining the property; and
- Impacts on historical, prehistoric or natural resources.

a. *Access and Traffic; Pedestrian, Bicycle and Vehicular Circulation*

Access to the site is provided from South Woodland Hills Drive. The proposed use will have minimal impact on traffic circulation. A Traffic Impact Analysis is not required of a single private residence which would only see traffic from the home's occupants. Single-family HOH developments are required to provide one off-street parking space per bedroom. This development is proposing five bedrooms; on-site parking is provided for at least five vehicles which is easily accommodated in the three-car garage and ample driveway.

b. *Adequacy of Site/Open Space/Resource Provisions*

A Resource Protection Plan was provided when the subdivision was platted. The subject property has a 11,487 sq. ft. building envelope. The construction proposed for this request will be within the permitted building envelope and tree removal will only occur within the approved building envelope.

c. *Noise, Light, Visual and Other Pollutants*

It is not anticipated that the proposed uses for the site will create any noise, visual or other pollutants into the area. The site is well maintained.

d. *Style and Siting of Structure(s), and Relationship to Surrounding Neighborhood*

The architectural style, colors and materials along with the siting of the structure are consistent with the existing residences within Pine Canyon.

e. *Landscaping and Screening*

Landscaping provisions do not apply to construction of a new single-family dwelling.
(FZC 10-50.60.020.C)

f. *Impact on Public Utilities*

The site proposes to connect to existing city sewer and water services. No new off-site improvements are required to support this use.

g. *Signage and Outdoor Lighting*

All exterior lighting will be required to comply with the City of Flagstaff's strict outdoor lighting requirements which support and maintain our designation as an International Dark Sky City. Section 10-50.70: Outdoor

Lighting Standards of the Zoning Code allows single-family residences to have a combined maximum of up to 5,000 lumens of outdoor lighting (if using non-LED bulbs) or 6,993 lumens of outdoor lighting if all lighting is using LED bulbs. All outdoor lighting fixtures must be fully or partially shielded; no unshielded fixtures are allowed. Single-family residential building permits do not require a separate Outdoor Lighting Permit.

h. *Dedication and Development of Streets*

No dedication or development of public streets is required. All public right of way was dedicated when the subdivision was platted.

i. *Impacts on Resources*

This site is not currently listed on any state or federal historic registry, nor does the site have any other historical significance. The site is located within the Resource Protection Overlay Zone; the proposed development fits within the development envelope formed with the Estates at Pine Canyon Pine Run subdivision plat, which adequately addresses resource protection requirements.

iv. ***Finding #4***

For the properties subject to Division 10-30.30, Heritage Preservation, the City's Historic Preservation Officer or the Heritage Preservation Commission has made a determination that the proposed High Occupancy Housing Development or Mixed-Use High Occupancy Housing Development has no adverse effect or has appropriately mitigated its effects on the historic cultural resource.

This property is not subject to Division 10-30.30; therefore, this criterion is not applicable.

v. ***Finding #5***

Adequate transit service is available to the Development Site containing four dwelling units or more. Adequate transit service from a Development Site to a permanent transit stop is:

a) Less than or equal to 1,320 feet; or b) A distance greater than 1,320 feet when the Planning and Zoning Commission finds that the route to the permanent transit stop has adequate nighttime lighting and does not have a significant grade change, and the distance does not impede reasonable access to transit. The distance between the permanent transit stop to the Development Site shall be measured following a continuously improved sidewalk and/or public paved trail.

This proposed Conditional Use Permit is for a Single-Family High Occupancy Housing Development; as such, this criterion is not applicable.

Conditions of approval will only be imposed if they are necessary to ensure the intent and purpose of the Zoning Code are met; to ensure compatible and complementary development of the property; and to ensure the provision of appropriate off-site improvements will be fulfilled.

C. Citizen Participation

The applicant notified property owners within 300 feet of the subject site of this application via mailer in-lieu of holding a virtual or in-person neighborhood meeting. As of the date of this report, staff has received no comments from the public.

D. Recommendation

In accordance with the findings presented in this report, Staff recommends that the request for the CUP be granted by the Planning and Zoning Commission with the requirements included in Conditional Use Permit No. PZ-23-00125 and as follows:

1. The development of the site shall substantially conform to the plans as presented with the Conditional Use Permit application.
2. The property owner shall maintain compliance with the Flagstaff Police Department's Crime Free Multi-Housing Program, unless exempted by the Police Department's representative.

E. Attachments

The draft documents have been prepared in accordance with the Staff recommendation and do not indicate the Commission's final decision. These documents will be updated after the public hearing on this case to reflect the Commission's decision.

- Draft Conditional Use Permit No. PZ-23-00125
- Draft Notice of Decision
- Draft Prop 207 Waiver
- Conditional Use Permit Application
 - Narrative
 - Public Participation Report
 - Vicinity Map
 - Site Plan
 - Floor Plans
 - Elevations