

## PLANNING AND DEVELOPMENT SERVICES REPORT

### Zoning Code Text Amendment

#### PUBLIC HEARING

PZ-22-00223

**DATE:** October 18, 2023

**MEETING DATE:** November 8, 2023

**REPORT BY:** Tiffany Antol, AICP

#### REQUEST:

City's request for a Zoning Code Text Amendment to modify the existing Planning Residential Development (PRD) 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.

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#### I. Proposed Amendment:

The proposed amendment (Attachment 1) includes a complete overhaul of the PRD standards, modifications to civic space and common open space requirements, as well as general housekeeping changes to make both the residential and commercial use tables and definitions more user friendly for staff and the public.

The PRD standards currently require that a development project meet the standards of the transect zones by applying the relevant building placement and form standards (i.e., building height, setbacks, etc.), and require the use of specific building types as permitted based on the conventional zoning category. There are two ways that a project can use the PRD Standards. The first includes the development of Duplexes and Multiple-Family Dwellings in the Rural Residential (RR), Estate Residential (ER), and Residential Single-family (R1) zones, and the development of a Single-family dwelling in the Medium Density Residential (MR) and High Density Residential (HR) zones. The second includes subdivisions that use alternative development standards other than the underlying zoning category. For example, a large parcel in the MR zone is proposed to be developed as single-family lots, because single-family is only permitted as a PRD, or a large parcel in the RR zone wants to allow 6,000 square foot lots instead of one acre lots (maintaining the same density of the RR zone), so the PRD must be utilized.

The proposed amendment detaches the use of the transect zone standards with the PRD and requires that all permitted residential uses utilize the development standards of the conventional zoning district in which they are located. The PRD would be utilized only for the development of new subdivisions to allow alternative lot area, lot width, lot depth, lot coverage requirements, and setbacks when additional design elements and common space areas are provided. The proposed design elements are elected by the property owner and are meant to represent the features of traditional neighborhood design.

A detailed list of the changes is as follows:

- Modify Section 10-30.60.090: Open Spaces, Civic Spaces, and Outdoor Public Spaces to clarify that civic space is only required for commercial development and common (open) space is only required for residential development.

*The current requirement for Civic Spaces found in 10-30.60.090 states that residential developments with 50 or more dwelling units shall provide a minimum of five (5) percent of the gross Development Site Area in civic spaces that are either privately held and open to the public or publicly owned and set aside as civic spaces. Residential subdivisions using the PRD and Multi-family residential developments in the MR, HR and Commercial zoning districts are also required to provide 15% of the gross Development Site Area as Common*

*(Open) Space. These developments are often tasked with providing both 15% open space and 5% civic space while meeting minimum density requirements and preserving the highest levels of resources. Many of these civic spaces are intended as amenity spaces for the property owners and residents of the development, who also pay to maintain these areas, but the code requires them to be accessible to the public.*

- Modify Table 10-40.30.030.B. Residential Zones – Allowed Uses to clarify when a PRD is required. General clean up items include eliminating combinations of allowances for the same use. For example, Places of Worship shows it is both permitted and requires a conditional use permit with a footnote to distinguish the difference. The table has been modified to add Places of Worship with 250 seats or less which is permitted and then Places of Worship with more than 250 seats which requires a conditional use permit.

*The code currently requires that cohousing units in the R1 zone, duplex, and multi-family developments in the RR, ER, and R1 zones, and single-family dwellings and live/work units in the MR and HR zones require the use of the PRD standards which, in turn, requires the use of the transect zone standards when developing one of these projects.*

Example:

- 7,200 square foot lot in the Sunnyside neighborhood located in the MR zone.
- Owner would like to build a single-family dwelling.
- Instead of using the MR development standards (building height, setbacks, etc.) the owner would need to use the T4N.2 development standards.

MR Development Standards		T4N.2 Development Standards	
Front Setback	10 Feet	Front Setback	5 Foot min; 12 Foot max
Side Setback	5 Feet	Side Setback	3 Foot min
Rear Setback	15 Feet	Rear	3 Foot min
Building Height	35 Feet	Building Height	4 stories; 52' max
Lot Coverage	40% max	Lot Coverage	80% max

- The owner would also need to follow the standards of a listed Building Type from Table 10-40.60.280.A which in this case would allow either a Single-family House or Single-family Cottage. These standards specify the allowed frontages (stoop, porch, etc.), private open space requirements, as well as building size and massing requirements.

*The intention of removing the requirement to use the PRD standards for these projects is to keep development standards consistent within the same zoning category (maintain uniformity) which is generally expected by the public.*

- Modify Table 10-40.30.030.C. Residential Zones – Building Form and Property Development Standards to clarify that a PRD can use alternative lot area, lot width, lot depth, lot coverage, and setbacks. The previous footnote did not specify lot coverage.
- Delete Section 10-40.30.030.F which states that only one single-family dwelling unit or one accessory dwelling unit is allowed per lot or parcel unless with an approved PRD.
- Modify Section 10-40.30.030.G that Common Open space is required specifically for Multiple-Family Dwellings and not all uses within the MR and HR zones.

- Modify Table 10-40.30.040.B. Commercial Zones – Allowed Uses to clarify the same information as the residential use table listed above.  
*All 100% residential (not mixed-use) developments permitted within the commercial zones are required to utilize the PRD standards similar to the residential example provided above.*
- Delete Section 10.40.60.170 Cluster Dwelling which allows for modified building form standards with the provision of open space. These provisions are far more restrictive than the existing PRD requirements and are no longer used.
- Modify Section 10-40.60.280: Planned Residential Development to update Common Space requirements, permitted development standards, and provide required design elements.

*The new development standards are as follows:*

1. *A Planned Residential Development shall include one or more of the following design elements that equal or exceed a sum of 5 points. The elected design elements are at the discretion of the subdivider and shall be identified on the approved final plat.*
2. *The Planning Director shall determine compliance with the design elements elected.*
3. *Each subdivision plat shall include a Planned Residential Development agreement that details how each elected design element will be implemented to the satisfaction of the Planning Director. The agreement shall be recorded in conjunction with the subdivision plat.*
  - a. *Subdivision includes the provision of at least 10% of all residential units as Category 1 Affordable Housing. (5 points)*
  - b. *A street network that includes alleys. At least 50% of all lots within the subdivision shall have alley loaded garages or parking areas. (4 points)*
  - c. *100% of residential units are all-electric (appliances are all-electric and a cold climate heat pump is provided) and no natural gas plumbing is constructed to serve the subdivision. (3 points).*
  - d. *Average dwelling units no larger than 1,800 square feet not including garage. (3 points)*
  - e. *A street network that connects at right angles to the greatest extent feasible with no cul-de-sacs or similar turn arounds. Blocks may not exceed 600 feet in length between intersections. (2 point)*
  - f. *Significant traffic calming design features selected from the Engineering Design Standards and Specifications for New Infrastructure (Table 13-10-011-02 – New Design and Retrofit of Existing Streets) as approved by the City Engineer. (2 points)*
  - g. *Detached garages located behind the primary structure on at least 50% of the lots within the subdivision. (2 points)*
  - h. *All residential units within the subdivision include a minimum 80 square foot front entry feature associated with the front entry door with a direct pedestrian connection from the front door to the sidewalk. (2 points)*
  - i. *Subdivision incorporates a combination of single-family, duplex, and/or multi-family units. (2 points)*
  - j. *The provision of recreational amenities within a park or Common Space area, including but not limited to dog parks, picnic areas, and sports courts. (2 points)*
  - k. *At least 50% of the required resources per Division 10-50.90 are maintained within Common Space areas outside of individual lots. (2 points)*
  - l. *Front setbacks less than 15 feet for livable portions of the dwelling including the front entry feature. (1 point)*
  - m. *Attached street facing garages less than 50% of the width of the primary structure. (1 point)*
  - n. *Subdivision CC&R's and setback standards do not prohibit the development of Accessory Dwelling Units. (1 point)*

- o. A minimum of 15% of all single-family dwelling lots include requirements for an Accessory Dwelling Unit. (1 point for 15%, 2 points for 30%, 3 points for 50%)*
- p. Subdivision exceeds the minimum density of the applicable zoning district by at least one whole unit per acre (no fractions). For example, if the minimum density is 2 units per acre the subdivision provides a minimum of at least 3 units per acre. (1 point for each whole unit over the minimum up to 3 points)*
- q. Subdivision includes enhanced pedestrian environments including outdoor seating areas or larger landscaping areas. (1 point for each)*

- Modify Chapter 10-80: Definitions to update the various dwelling definitions.

## 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 following goals and policies support the proposed amendment:

Policy E&C.2.1. Encourage the reduction of all energy and material consumption.

Policy E&C.2.3. Review and revise existing regulations, standards, and plans (codes, ordinances, etc.) to reduce community greenhouse gas emissions.

Policy OS.1.5. Integrate open space qualities into the built environment.

Policy E.1.6. Develop land use regulations promoting land use patterns that increase energy efficiency.

Policy CC.1.6. Encourage cluster development to preserve open space, viewsheds, and scenic vistas.

Policy CC.3.1. Encourage neighborhood design to be respectful of traditional development patterns and enhance the overall community image.

Policy LU.1.6. Establish greater flexibility in development standards and processes to assist developers in overcoming challenges posed by redevelopment and infill sites.

Policy LU.1.7. Consider creative policy and planning tools (such as transfer of develop rights or transfer of development obligations) as a means to incentivize redevelopment and infill.

Policy LU.2.1. Design new neighborhoods that embody the characteristics of Flagstaff's favorite neighborhoods – that is, with a mix of uses, a variety of housing types and densities, public spaces, and greater connectivity with multimodal transportation options.

Policy LU.5.4. Encourage development to be clustered in appropriate locations as a means of preserving natural resources and open space, and to minimize service and utility costs, with such tools as Transfer of Development Rights (TDR).

Policy LU.6.1. Consider a variety of housing types and employment options when planning new development and redevelopment projects.

Policy T.1.6. Provide and promote strategies that increase alternate modes of travel and demand for vehicular travel to reduce peak period traffic.

Policy T.4.1. Promote context sensitive solutions (CSS) supportive of planned land uses, integration of related infrastructure needs, and desired community character elements in all transportation investments.

The proposed design elements were developed directly from the goals and policies in the Regional Plan. This amendment is intended to simplify and make the PRD standards more flexible and useable in appropriate settings.

**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 amendment is intended to simplify the Planned Residential Development standards, provide greater flexibility in the development of subdivisions, and reduce potential conflicts in non-transect zones.

**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 by direct mail and an ad was placed in the Arizona Daily Sun on October 7, 2023, noticing the Planning and Zoning Commission public hearing. As of the date of this report, staff has received no public comment on the proposed amendment.

Staff held a Zoning Code Open House on October 19<sup>th</sup>, 2023, to discuss this text amendment.

**IV. PLANNING AND ZONING COMMISSION WORK SESSION**

At the Planning and Zoning Commission Work Session of October 11, 2023, staff reviewed the proposed Zoning Code Text Amendment application with the Commission.

**Attachments:**

1. Application
2. Draft of Case No. PZ-22-00223: Planned Residential Development