

Case No. PZ-24-00008 –Concept Plan Review, Accessory Structures, Accessory Uses, Home Occupations, and Basements, Basement Garages, Building Stem Walls, Crawl Spaces, and Podium Parking

Provisions that are being deleted are shown in bold ~~striketrough~~ text.
Provisions that are being added are shown in bold **red** text.

Section 1. Amend Title 10 Flagstaff Zoning Code, Chapter 10-20: Administration, Procedures, and Enforcement, Division 10-20.30: Common Procedures, Section 10-20.30.050: Concept Plan Review, to modify applicability for concept plan review to remove duplexes:

10-20.30.050 Concept Plan Review

A. Purpose. Concept plan review is an informal review to ensure that the applicant is aware of the procedures and substantive requirements of the City and to identify any potential problems or concerns prior to submitting for site plan review and approval (Section 10-20.40.140).

B. Applicability. Concept Plan review is required for the following:

1. All developments requiring Site Plan review and approval (Section 10-20.40.140);
2. Any change of use that triggers an increase in required parking;

~~3. A proposed duplex;~~

43. Structural modifications to an exterior facade that is visible from a public way, including, but not limited to, public and private streets, public trails and paths, and alleys;

54. A proposed single-family residence **or duplex** located on a parcel that is not part of a platted subdivision; and

65. Any use that requires a Concept Plan in accordance with the regulations of Division 10-40.60: Specific to Uses.

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Section 2. Amend Title 10 Flagstaff Zoning Code, Chapter 10-40: Specific to Zones, Division 10-40.60: Specific to Uses as follows:

Division 10-40.60:

Specific to Uses

Sections:

- 10-40.60.010 Purpose and Applicability
- 10-40.60.020 Accessory **Buildings and** Structures
- 10-40.60.025 Accessory Uses
- 10-40.60.030 Accessory Dwelling Units (ADUs)
- 10-40.60.040 Accessory Wind Energy Systems
- 10-40.60.050 Adult Entertainment
- 10-40.60.060 Airport/Landing Strips, Heliport, or Helistops
- 10-40.60.070 Animal Keeping
- 10-40.60.080 Automobile, Go-Kart, and Miniature Automobile Racing
- 10-40.60.090 Automobile Service Station and Convenience Store
- 10-40.60.100 Automobile/Vehicle Repair Garage – Major/Minor
- 10-40.60.110 Bed and Breakfasts
- 10-40.60.120 Co-housing
- 10-40.60.130 Commercial Campground
- 10-40.60.140 Community Garden
- 10-40.60.150 Day Care Home and Center
- 10-40.60.160 Drive-through Retail or Service Facility
- 10-40.60.170 High Occupancy Housing Developments and Mixed-Use High Occupancy Housing Developments
- 10-40.60.180 Home Occupations
- 10-40.60.190 Homeless Shelter
- 10-40.60.195 Kennel, Animal Boarding
- 10-40.60.200 Live/Work
- 10-40.60.210 Manufactured Homes
- 10-40.60.220 Marijuana Establishments
- 10-40.60.230 Meeting Facilities, Neighborhood and Regional
- 10-40.60.240 Micro-Brewery or Micro-Distillery

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- 10-40.60.250 Mini-Storage Warehousing
- 10-40.60.260 Mixed Use
- 10-40.60.270 Outdoor Commercial Recreation Structures
- 10-40.60.275 Outdoor Storage
- 10-40.60.280 Planned Residential Development
- 10-40.60.290 Quarrying Operations
- 10-40.60.300 Research and Development Uses
- 10-40.60.305 Seasonal Amusement, Entertainment and Sales, Indoor
- 10-40.60.310 Telecommunication Facilities

Section 3. Amend Title 10 Flagstaff Zoning Code, Chapter 10-40: Specific to Zones, Division 10-40.60: Specific to Uses, Section 10-40.60.020: Accessory Structures, as follows:

10-40.60.020 Accessory **Buildings and** Structures

A. ~~Allowance.~~ **Applicability. Accessory buildings and structures shall be permitted in all zones in compliance with this section, provided each is incidental and subordinate to the principal use.**

Accessory Dwelling units shall comply with Section 10-40.60.030.

~~1. An Accessory Dwelling Unit (ADU) structure is allowed in accordance with Sections 10-40.30.030.D. and 10-40.30.040.D.~~

~~2. All other accessory structures are allowed in all zones in compliance with this section.~~

B. ~~Approvals and~~ Standards.

1. The property owner shall obtain permits and approvals for an accessory **building or** structure in accordance with Division 10-20.40: Permits and Approvals.

2. An accessory **building or** structure (**excluding fences**) shall not be allowed on a lot or parcel without a primary **use structure** on the same property, **except that a permit for an accessory building or structure may be issued concurrent, or after, a permit is issued for the primary use, building, or structure.**

~~3. A primary structure shall be established prior to the issuance of a permit for an accessory structure, except that a permit for an accessory structure may be issued concurrent, or after, a permit is issued for the primary structure.~~

~~34. No manufactured home, mobile home, trailer, semi-trailer, bus, recreational vehicle, boxcar or storage container structure mounted on trailers/wheels shall be used as an accessory structure. , except as permitted in subsection C. of this section.~~

~~5. Accessory Dwelling Units shall comply with Section 10-40.60.030.~~

~~6. Permanent storage structures shall comply with subsection C. of this section.~~

4. An accessory building or structure shall be used in compliance with the permitted uses of the zone within which it is located and, if applicable, the Home Occupation regulations in Section 10-40.60.180.

5. The use of accessory buildings or structures shall be incidental to the primary use.

67. All other a Accessory **buildings and** structures shall comply with the property development standards of the property’s zone, except as specified below:

~~a. On any residential lot less than one acre, the total floor area of all accessory structures shall be less than that of the lot’s or parcel’s primary structure.~~

~~a~~**b.** The distance between a primary **building or** structure and an accessory **building or** structure shall comply with the Building Code.

~~c. An accessory structure is not allowed in any Street Side Yard.~~

~~b~~**d.** Encroachments into the required setbacks are allowed in accordance with Table 10-50.40.020.A.

~~c~~**e.** The maximum height of an accessory **building or** structure shall comply with Table 10-40.60.020.B.7.e.

| Table 10-40.60.020.B.7.e. Allowed Height of Accessory Building or Structure | |
|---|-------------------------|
| Location of Accessory Structure | Building Height Maximum |
| Within the building envelope: | 24 feet. |
| All other locations allowed | 16 feet. |

~~10-40.60.020 Accessory Structures~~

~~C. Permanent Storage Structures.~~

~~1. Placement.~~

~~d~~**a.** Residential and Transect Zones. ~~A storage~~ Accessory **buildings or** structures **(except for fences)** shall be placed **in:** (1) ~~the building envelope and~~ behind the rear of the primary **building structure;** (2) **in** the rear yard or interior side yard in compliance with the standards provided in subsection B.7.~~b~~**d.** of this section; or, (3) **in** a combination of the ~~building~~

~~envelope's~~ rear yard, or interior side yard in compliance with the standards provided in subsection B.7.~~bd.~~ of this section.

~~b.f.~~ Commercial Zones. ~~A storage~~ **Accessory buildings or** structures shall: (1) be placed in compliance with the property development requirements of the property's zone; (2) be placed in a location where it is not visible from the public right-of-way, unless ~~the container~~ **is** placed in the loading/dock area; and, (3) not be placed in parking areas.

~~e.g.~~ Industrial and Public Facility Zones. ~~A storage~~ **Accessory buildings or** structures shall only be placed: (1) in compliance with the property development standards of the property's zone; and, (2) in a location where it is not visible from the public right-of-way, unless ~~the container~~ **is** placed in the loading/dock area.

~~3. Maximum Floor Area.~~

~~a. Residential and Transect Zones. A storage structure's floor area shall not exceed 160 square feet.~~

~~b. Commercial, Industrial, and Public and Open Space Zones. A storage structure's floor area shall not exceed 384 square feet.~~

~~4. Maximum Height. A storage structure shall not exceed a height of 10 feet measured from finish grade directly below the container.~~

~~5. Maximum number of storage structures on a property in all residential and transect zones: one.~~

~~6. Additional Requirements in the Commercial, Industrial, and Public and Open Space Zones. All property development standards of the property's zone not specified in this subsection shall apply to a storage structure.~~

~~7. Additional Requirements in All Zones.~~

~~a. A storage structure shall:~~

- ~~i. Have an exterior color that is an earth tone with a light reflectance value of 50 or less, or matches the main color of a building on property that the structure is placed nearest to;~~
 - ~~ii. Be nonhabitable, and used only for storage purposes; and~~
 - ~~iii. Not be connected to any utility service, except for an electrical service to provided lighting and electrical plugs.~~
- ~~b. Storage structures mounted on trailers/wheels shall not be permitted.~~

Section 4. Amend Title 10 Flagstaff Zoning Code, Chapter 10-40: Specific to Zones, Division 10-40.60: Specific to Uses, Section 10-40.60.025: Accessory Uses, as follows:

10-40.60.025 Accessory Uses

A. Accessory Uses Allowed.

~~1. An Accessory Dwelling Unit (ADU) use is allowed where specified in Sections 10-40.30.030 and 10-40.30.040.~~

~~2.1. All other a~~ Accessory uses of a property are allowed in connection with a primary use on the same property.

2. Accessory uses shall be subordinate to the primary use in terms of area, impact, and purpose.

3. Accessory uses shall not include primary uses that are not allowed in the same zone.

~~3.4.~~ An accessory use shall require the approval of a conditional use permit when the accessory use is listed as primary use that requires a conditional use permit in the same zone.

5. Outdoor sales display areas in connection with established retail stores or shopping centers are considered accessory uses and not subject to a temporary use permit in compliance with Section 10-20.40.150 and shall be reviewed and approved through a concept plan, site plan, or building permit.

B. Determination of an Accessory Use. In determining that a use is accessory to a primary use, the Zoning Administrator shall find that the accessory use is clearly customary, subordinate, and incidental to the primary use on the same property.

C. Additional Criteria for Accessory Uses.

1. Outdoor Storage. All outdoor storage areas shall comply with Section 10-40.60.275.

2. Animal Keeping. Animal keeping shall be maintained in conformance with Section 10-40.60.070.

3. Outdoor Sales Display. Permanent outdoor sales display areas, including nurseries or garden centers, are permitted with the following conditions:

- a. The outdoor sales display is clearly incidental to the primary commercial use of the property;
- b. The outdoor sales display shall not occupy more than 10 percent of the total area of the site;
- c. To accommodate the outdoor sales display, the number of parking spaces shall not be reduced more than 10 percent below the number of spaces required by Division 10-50.80 or more than 10 percent of the spaces provided if the site is legal nonconforming; and
- d. The outdoor sales display shall not restrict emergency, pedestrian, or bicycle access to or from the site.

~~3. An Accessory Dwelling Unit (ADU) shall comply with Section 10-40.60.030.~~

Section 5. Amend Title 10 Flagstaff Zoning Code, Chapter 10-40: Specific to Zones, Division 10-40.60: Specific to Uses, Section 10-40.60.180: Home Occupations, as follows:

10-40.60.180 Home Occupations

A. **Applicability.** ~~The use of a dwelling for a home occupation shall be compatible with the residential character of the dwelling and the neighborhood.~~ Home Occupations may be permitted in any residential zoning district, subject to the granting of a permit per Section 10-20.40.070 and shall comply with the following standards. No home occupation permit is needed for a business located within a residence in any commercial zone.

B. **Standards.** ~~The home occupation shall be conducted only inside the dwelling or inside an accessory building or garage.~~

1. The use of a dwelling for a home occupation shall be compatible with the residential character of the dwelling and the neighborhood.

2. The business shall only be conducted by a resident or residents of the dwelling with no more than one outside employee coming to the residence.

3. The home occupation shall not result in any structural alternations or additions to a building that will change its primary use or building code occupancy classification. No more than ~~20~~ 10 percent of the total floor area of the dwelling shall be used for the home occupation.

4. No stock, goods, and/or materials shall be displayed or sold at the location of the home occupation, except as permitted in subsection ~~(F)~~ (B.7.) of this section; provided, that this provision shall not be interpreted to prevent pick up of orders made either through the telephone or at sales meetings outside of the dwelling in which the home occupation is located.

5. The sale of fresh produce and cottage foods (i.e., baked, pickled, canned or similarly produced foods grown in a vegetable garden at the location of the home occupation) is permitted subject to compliance with all State and local regulations.

6. No outdoor display or storage of materials, goods, supplies, or equipment shall be permitted in connection with a home occupation.

7. Signs shall be used in compliance with Division 10-50.100, Sign Standards.

~~I~~8. No more than two home occupations shall be carried on in a single residence; provided, that together they do not exceed the ~~20~~ 10 percent area limitation in subsection ~~(D)~~ (B.4.) of this section, or violate any other conditions specified in this section.

J9 The home occupation shall not be conducted in such a manner or advertised in such a way as to generate more pedestrian or vehicular traffic than typical for the zone within which it is located based on the standards in the current edition of the *Trip Generation Manual* published by the Institute of Transportation Engineers.

K10. A home occupation shall not utilize flammable liquids or hazardous materials in quantities not customary to a residential use, in compliance with the adopted City Fire Code and Building Code.

~~L~~11. The home occupation shall not create any radio, television, computer, or power line interference, or noise audible beyond the boundaries of the site.

M12. No more than one motor vehicle, or vehicle-trailer combination, not exceeding a gross vehicle weight rating (GVWR) of 14,000 pounds shall be stored at a residence and/or used in connection with a home occupation.

N13. A home occupation requires the issuance of a Home Occupation Permit in compliance with Section 10-20.40.070, Home Occupation Permits, prior to commencement of the home occupation.

O14. Any change in use of a home occupation, or if the applicant/permit holder of a home occupation no longer resides in the home where the home occupation permit was originally issued, will result in the automatic termination of the home occupation. A new owner of a home occupation or a change in use of a previously approved home occupation will require the issuance of a new home occupation permit and a new privilege license from the City prior to commencement of the home occupation.

~~P. No home occupation permit is needed for a business located within a residence in any commercial zone.~~

Section 6. Amend Title 10 Flagstaff Zoning Code, Chapter 10-50: Supplemental to Zones, Division 10-50.20: Architectural Design Standards, Section 10-50.20.030: Architectural Standards, to incorporate standards for basements, basement garages, building stem walls, crawl spaces, and podium parking structure walls as follows:

B. Building Massing and Scale.

~~8. Parking Lots. Parking lots shall follow the standards in Section 10-30.60.070, Parking Lots, Driveways and Service Areas; Division 10-50.80, Parking Standards; and Division 10-50.60, Landscaping Standards.~~ **Basements and Basement Garages. The portion of an exterior wall of a basement or basement garage that projects above grade and is visible from a public or private street, or a driveway, shall not exceed 10 feet in height, measured from the abutting finished grade to the finished floor of the first floor of the structure above the finished grade. The exterior of the walls shall be finished with architectural materials and colors consistent with the design of the building. The Director may approve alternative materials and color that are consistent with the design of the building, provided that the alternative materials and color maintain a consistent design theme.**

9. Building Stem Walls and Crawl Spaces. Stem walls and crawl spaces shall not exceed five feet in height, except as allowed in subsection (B.9.a.) of this section, measured from the abutting finished grade to the first finished floor of the structure above the abutting finished grade. All exterior walls shall be finished with architectural materials and colors that are consistent with the design of the building and shall be screened from a public or private street, or driveway, with landscaping when taller than three feet.

a. The Director may approve a taller stem wall or crawl space up to a height no greater than one foot above the minimum regulatory flood elevation of the first lowest floor elevation that is required to comply with Flagstaff City Code Title 12, Floodplains. This allowance may only be approved for residential habitable areas of a development.

10. Podium Parking Structures. Exterior walls shall be designed as a building element that is cohesively integrated into the remainder of the building's architectural design, including the consistent use of detailing, fenestrations, architectural materials, and colors. The Director may approve alternative materials and color that are consistent with the design of the building, provided that the alternative materials and color maintain a consistent design theme.



Figure 10-50.20.030M. Gas station service canopy with a low profile.

911. Gas Station Service Canopies. The canopy over a gas station service area shall be designed as a subordinate element of the overall site design using the following strategies:

a. The canopy shall be designed with a low-profile section with a maximum height of three feet;

b. **A minimum of 75 percent of the perimeter of the canopy shall have muted colors and earth tones typical of those found in the Flagstaff area with a light reflectance value (LRV) of 50 percent or less. A muted earth-tone color shall be used on the perimeter of the canopy. Bright colors are appropriate only for accents;** and

c. The mass of the canopy shall be reduced by stepping its form or by dividing it into a set of smaller individual canopies.

C. Compatibility. The architectural standards established in Section 10-30.60.050, Compatibility, shall also be considered and applied when assessing the compatibility of a new project relative to existing adjacent development.

Section 7. Delete Title 10 Flagstaff Zoning Code, Chapter 10-50: Supplemental to Zones, Division 10-50.25: Basements, Basement Garages, Building Stem Walls, Crawl Spaces, and Podium Parking Structure Walls:

~~Division 10-50.25:~~

~~Basements, Basement Garages, Building Stem Walls, Crawl Spaces, and Podium Parking Structure Walls~~

Sections:

~~10-50.25.010—Applicability~~

~~10-50.20.020—Development Standards~~

~~10-50.25.010 Applicability~~

~~A.—The standards found within this division shall apply to all development in the City of Flagstaff.~~

~~10-50.25.020 Development Standards~~

~~A.—Basements and Basement Garages. The portion of an exterior wall of a basement or basement garage that projects above grade and is visible from a public or private street, or a driveway, shall not exceed 10 feet in height, measured from the abutting finished grade to the finished floor of the first floor of the structure above the finished grade. The exterior of the walls shall be finished with architectural materials and colors consistent with the design of the building. The Director may approve alternative materials and color that are consistent with the design of the building, provided that the alternative materials and color maintains a consistent design theme.~~

~~B.—Building Stem Walls and Crawl Spaces.~~

~~1.—Shall not exceed five feet in height, except as allowed in subsection B.1.a. of this section, measured from the abutting finished grade to the first finished floor of the structure above the abutting finished grade.~~

~~a.—The Director may approve a taller stem wall or crawl space up to height no greater than one foot above the minimum regulatory flood elevation of the first lowest floor elevation that is required to comply with Flagstaff City Code Title 12, Floodplains. This allowance may only be approved for residential habitable areas of a development.~~

~~2.—Exterior walls shall be finished with architectural materials and colors that are consistent with the design of the building; and~~

~~3. Shall be screened from a public or private street, or driveway, with landscaping when taller than three feet.~~

~~C. Podium parking structure exterior walls shall be designed as a building element that is cohesively integrated into the remainder of building's architectural design, including the consistent use of detailing, fenestrations, architectural materials and colors. The Director may approve alternative materials and color that are consistent with the design of the building, provided that the alternative materials and color maintains a consistent design theme.~~