

PLANNING AND DEVELOPMENT SERVICES REPORT

Zoning Code Text Amendment

PUBLIC HEARING

PZ-25-00088

DATE: May 7, 2025

MEETING DATE: May 28, 2025

REPORT BY: Tiffany Antol, AICP

REQUEST:

The City is requesting a modification to the Zoning Code provisions in Chapter 10-50: Supplemental to Zones, Division 10-50.90: Resource Protection Standards, to update the purpose and goals and add Section 10-50.90.061, Forest Resource Pilot Program, to establish a three-year pilot program for the preservation of forest resources using new technology in alignment with the Flagstaff Fire Department Forest Management Plan.

STAFF RECOMMENDATION:

Staff recommends the Planning and Zoning Commission, in accordance with the findings in this report, make a recommendation to the City Council for approval of the City Code Text Amendment.

I. Proposed Amendment:

The proposed amendment (see Attachment 1) modifies the purpose and goals of the Resource Protection Standards to include prioritizing wildfire resilience to ensure neighborhoods, sites, and Buildings are designed to be better prepared for the increasing risks of urban fires initiated by wildfires. The amendment also creates a three-year limited term pilot program to address Forest Resource preservation requirements for both developed and undeveloped properties within the Resource Protection Overlay (RPO). Implementation of the pilot program will be a joint effort between the Flagstaff Fire Department and the Community Development Division to integrate new technology as well as the principles of the Forest Management Plan. The pilot program is intended to inform future permanent revisions to the Flagstaff Zoning Code for Forest Resource preservation.

The text amendment establishes provisions for an agreement that is required to be executed by the applicant and the Planning Director that establishes the basic parameters for participating in the pilot program. These provisions include the following:

- The City's commitment to provide any existing data to assist the applicant with the preparation of a forest stewardship plan and Natural Resource Protection Plan.
- The applicant's responsibility to supplement available City data as determined by the Director, for the Development Site, including but not limited to information on tree height, tree density, and basal area density calculations.
- The applicant's commitment to the purpose and goals of the Forest Management Plan, the purpose and goals of Resource Protection Standards, and the priority for Forest Resource protection found in Section 10-50.90.030.B.3. except as modified in the Forest Management Plan. Failure to comply with the purposes, goals, and priorities can be cause for terminating the use of the pilot program on a Development Site.
- The applicant's commitment to achieve residential densities that further the goals of the City's 10-Year Housing Plan and Carbon Neutrality Plan.
- An agreement that no tree work shall occur on the Development Site prior to the review and approval of a forest stewardship plan and Natural Resources Protection Plan by City staff.
- Permission for City staff and their consultants to access all property affiliated with the Development Site utilizing the Forest Resource Pilot Program (FRPP).

- Maintenance of Forest Resources before, during, and after the completion of Development; and

The text amendment also establishes the minimum requirements of the pilot program which includes the following:

- A comprehensive digital tree inventory be prepared for the Development Site that identifies all Forest Resources, overall tree density and basal area calculations, and high value resources for the Development Site. High value resources include the oldest, largest, and most fire-resistant trees on a Development Site. The characteristics used to make this determination vary based on the species of tree but may include height, shape, and bark. The digital tree inventory shall also identify any Slope Resources that are required to be preserved subject to Section 10-50.90.050.
- The proposed Development plan shall preserve to the greatest extent feasible high value resources, as determined by staff from the digital tree inventory and site inspections.
- Forest Resource preservation shall align with the desired conditions of the Forest Management Plan as determined by the Flagstaff Fire Department, and the Development Site is not required to meet the percentages in table 10-50.90.060.B.2.a.
- This program does not permit the deforestation of a Development Site. Deforestation is when forests are permanently destroyed for the purposes of Development.
- The termination of the FRPP after the execution of the Forest Resources agreement by the Director and the applicant does not impact the applicant's eligibility to participate in the FRPP so long as Development approvals are completed within 18 months and construction has commenced within 24 months from the termination of the FRPP.

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 Division 10-40.20 (Establishment and Designation 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;

Flagstaff Regional Plan 2030

- Goal E&C.4. Integrate available science into policies governing the use and conservation of Flagstaff's natural resources.
- Policy E&C.4.1. Assess vulnerabilities and risks of Flagstaff's natural resources.
- Policy LU.2.3. New development should protect cultural and natural resources and established wildlife corridors, where appropriate.
- Policy LU.3.3. Protect sensitive cultural and environmental resources with appropriate land uses and buffers.
- Policy LU.5.2. Promote infill development over peripheral expansion to conserve environmental resources, spur economic investments, and reduce the cost of providing infrastructure and services.
- 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 ED.4.7. When planning for future growth, consider tribal, cultural, and natural resources in balance with community needs.

The Regional Plan goals and policies listed above covering Flagstaff's natural resources support the proposed amendment. Staff will be working with new technology (lidar) and utilizing updated forest management science for Forest Resource preservation. The goal of the pilot program is to allow for alternative techniques for reviewing, removing, preserving, and maintaining Forest Resources on development sites. Forest management techniques are constantly evolving, and the Forest Resource preservation standards need to be updated to follow suit. The pilot program will be used to inform a substantial overhaul of the Forest Resource preservation requirements to ensure the purpose and goals of the Resource Protection Standards continue to be met. The program will integrate forest stewardship requirements (thinning) with resource protection to ensure that the highest value resources are preserved on a development site.

10-Year Housing Plan

- Create 4.5 Evaluate and amend the Resource Protection Overlay standards to ensure that the minimum densities can be met on most sites, including making the requirements for residential sites to be similar to those for a commercial site.
- Create 4.6 Evaluate Resource Protection Overlay standards in terms of consistent application across each zone and allow for greater maximum densities.

Carbon Neutrality Plan

- Protect existing forests, resources, and meaningful open spaces.
 - Support planning and zoning efforts that protect natural resources, including surface water resources.
 - Reduce urban encroachment into the forest, such as by promoting infill as supported in the Regional Plan.

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 intended to enhance public health and safety by allowing a pilot program for the preservation of required Forest Resources within a development for the purposes of advancing wildfire resiliency. The pilot program is intended to introduce risk reduction measures as identified in the City of Flagstaff Forest Management Plan while meeting the purpose and goals of the Resource Protection Standards. The pilot program will allow staff the time to assess these risk reduction measures to prepare a permanent replacement to the current Forest Resource preservation requirements.

C. Finding #3

The proposed amendment is internally consistent with other applicable provisions of this Zoning Code.

The amendment is internally consistent with the existing Zoning Code, following its format and aligning with its comprehensive purpose. It does not conflict with any other provisions and ensures that the Zoning Code remains clear, usable, and easily understood.

III. CITIZEN PARTICIPATION

In accordance with Arizona Revised Statutes and the Zoning Code, the work session before the Planning and Zoning Commission was advertised in the Arizona Daily Sun on April 26, 2025, which is 18 days before the scheduled meeting date.

As of the date of this memorandum, staff has not received public comments on the proposed amendment.

IV. PLANNING AND ZONING COMMISSION WORK SESSION

At the Planning and Zoning Commission Work Session on May 14, 2025, staff reviewed the proposed Zoning Code Text Amendment application with the Commission.

Attachments:

1. Draft of Case No. PZ-25-00088 – Forest Resource Pilot Program