Case No. PZ-26-00018 – Resource Intensive Industrial

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

Section 1. 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
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
10-40.60.301 Resource Intensive Industrial Uses

10-40.60.305 Seasonal Amusement, Entertainment and Sales, Indoor
10-40.60.310 Telecommunication Facilities
10-40.60.320 Urban Farm

Section 2. Add Title 10 Flagstaff Zoning Code, Chapter 10-40: Specific to Zones, Division 10-40.60: Specific to Uses, Section 10-40.60.301: Resource Intensive Industrial Uses, as follows:

10-40.60.301 Resource Intensive Industrial Uses

A. Applicability. This section provides general requirements and minimum development standards for any Resource Intensive Industrial use. A Resource Intensive Industrial use may only be approved as within the Planned Community zone. The Planned Community Master Plan as required by Section 10-40.30.070.C shall be submitted with any request for a Resource Intensive Industrial use and shall also include the following provisions:

1. **A conditionally approved Site Plan application that complies with the following provisions:**
    a. **Compliance with Division 10-30.60: Site Planning Design Standards.**
    b. **Compliance with Division 10-50.20: Architectural Design Standards.**
    c. **All mechanical, electrical, and cooling equipment shall be fully enclosed or screened from view from rights-of-way and adjacent properties. Screening methods shall be provided.**
    d. **A minimum 150-foot setback shall be provided from a property line abutting a residential use or residential zoning district.**
    e. **All new or relocated electric lines 12 KV and smaller, communications and cable television and all on-premise wiring shall be placed underground in all developments.**
2. **Outdoor storage of equipment or materials shall be prohibited, except during permitted construction or maintenance activities.**
3. **Noise generated by all on-site operations, including cooling equipment and generators, shall not exceed a maximum outdoor dBA of 55 dBA / 60 dBC during the daytime (7 a.m. to 10 p.m.) and 45 dBA / 50 dBC during the nighttime (10 p.m. to 7 a.m.) at the property line. Sound attenuation walls shall be provided on any property line abutting a residential use or residential zoning district.**
4. **On-site power production, including the use of generators, shall be in compliance with all applicable state and federal regulations.**
    a. **Generators shall be used solely for emergency operations, testing, and maintenance, and shall not serve as a primary power source which includes**

momentary grid disturbances, bridging power, demand response, and planned outages.

b. Battery energy storage systems that provide a minimum of several hours of battery capacity to eliminate or minimize the use of backup generators shall be used to the greatest extent feasible.

c. If a development uses diesel generators for emergency operations, testing or maintenance, only tier IV or newer generators are permitted.

d. Generator use shall be limited to daytime hours and scheduled to minimize impacts on adjacent uses.

e. Generator testing and maintenance outside of emergencies shall be limited to 50 hours per year. Emergencies include extended unplanned losses of power and declared disasters.

f. Every time the backup generators are used, operators must log the event, duration, and reason. This information shall be submitted to the City as part of the annual Compliance Certificate documentation required in Section 10-40.60.301.D.1.

5. 100% renewable energy for all energy needs shall be used to the greatest extent feasible and is attainable through methods including but not limited to on-site generation, virtual power purchase agreements, and purchasing Renewable Energy Certificates (REC) through electric utility providers.

6. Mechanical cooling systems shall utilize air-cooled heat rejection systems only. The use of evaporative or water-based heat rejection systems, including but not limited to cooling towers, evaporative condensers, adiabatic systems, and water-cooled chillers, is prohibited.

7. Hazardous materials, including fuel storage, shall be limited to those necessary for operation and shall be stored and handled in accordance with applicable regulations.

8. Developments shall not emit smoke, dust, odors, or vibration detectable beyond the property boundary, except during emergency generator operation.

9. A decommissioning plan shall be provided that includes the following:

    a. Removal of all equipment, structures, and above-ground facilities; and

    b. Proper disposal of any hazardous materials in accordance with applicable state and federal regulations; and

    c. Restoration of the site to a safe, stable condition, including grading and seeding of disturbed areas.

D. Additional Required Analysis. A request for a Planned Community zoning map amendment that includes a Resource Intensive Industrial use shall include the following information, prepared by a qualified professional, in addition to all requirements for a Zoning Map Amendment:

1. **A baseline noise study establishing existing noise levels prior to project construction including a Low-Frequency Noise Impact Report prepared by a licensed acoustical engineer including a noise contour exhibit depicting the anticipated noise levels (including low frequency noise) to be generated by the development.**

2. **An assessment of current and future energy needs for the site. The applicant must include an estimate of annual energy consumption over all phases of the project, expected peak demand, and the percentage of energy demands that will be met by carbon-free energy, during each year of project operations.**

3. **Identification of the proposed energy source(s) and documentation from the utility provider(s) affirming sufficient power exists to serve the site. If on site power production is intended to serve the proposed development an assessment of that power source shall be provided including a proposal for mitigating impacts of such power source.**

4. **A carbon emission and waste heat assessment shall be provided that includes an inventory of carbon and heat emission sources, a quantification of carbon and heat output, heat quality and recoverability rating, an assessment of reuse or capture opportunities, a mitigation or recovery plan and an analysis of environmental and community impacts.**

5. **An estimate of peak day, average day, and annual water consumption and wastewater discharge for the site.**

6. **Identification of the source of water requested for the proposed development, reclaimed water or potable water, and documentation from the Water Services Division affirming sufficient water resources to serve the development under its Designation of Adequate Water Supply. A Water and Sewer Impact Analysis (WSIA) must be approved by the Water Services Division. The use of 100% non-potable and/or recycled water for non-potable needs is preferred.**

7. **Identification and concentration of constituents in the wastewater stream that may have negative effects on the Publicly Owned Treatment Works (POTW). Effluent from the facility must meet the requirements of City Code 7-02-001-007 and 7-02-001-008.**

8. **A Hazard Mitigation Analysis (HMA) should identify potential hazards associated with a development and evaluate measures to eliminate, reduce, or control those risks. This may include hazard identification, fire and explosion scenario evaluation, shutdown procedures, assessments of fire protection systems, hazardous materials management, emergency response planning, environmental mitigation, and recommended strategies for enhancing life safety.**

9. **A Fire Department Impact Analysis (FDIA) should evaluate how a proposed development may affect emergency response operations and broader community risk. This evaluation may consider response time impacts, staffing or deployment changes, specialized equipment needs, training requirements, water supply adequacy, access or operational concerns, the potential for long-duration incidents, mutual aid demands, and any applicable cost recovery or mitigation measures.**

D. Compliance with Specific to Use Standards and Conditions of Approval.

1. **Operators of Resource Intensive Industrial uses shall submit a compliance certificate annually within 15 days of the date of receiving a certificate of occupancy. The compliance certificate shall confirm adherence to all approved conditions and provisions included in this Section.**

    a. **Within 30 days of any material modification to operations, equipment, or management that could affect compliance, the operator must file an updated compliance certificate documenting the change and verifying continued compliance.**

2. **Operators of a Resource Intensive Industrial use shall notify the City if operation of the use is ceased within 30 days. Any Developments that have ceased operations for a continuous period of 12 months must be decommissioned. Decommissioning must be completed with 12 months per the approved decommissioning plan included in the Planned Community master plan.**

3. **If a violation is found, the operator will receive a written notice of non-compliance specifying the violated condition or standard, required corrective actions, and a timeline for remediation. If non-compliance persists past the deadline, the Planning Director may revoke site development and operation permits, rendering the land use unauthorized. The Development will also be subject to the provisions of Division 10-20.110: Enforcement.**

Section 3. Amend Title 10 Flagstaff Zoning Code, Chapter 10-80: Definitions, Division 10-80.20: Definition of Specialized Terms, Phrases, and Building Functions, Sections: 10-80.20.: Definitions "R", as follows:

Resource Intensive Industrial: **An industrial land use including manufacturing characterized by exceptionally high demands on utility and public service systems, including electric loads of 1 megawatt (MW) or more, water use exceeding 2,000 gallons per acre per day on average or 5,000 gallons per acre per day at peak, and wastewater discharge greater than 1,000 gallons per acre per day on average or 3,000 gallons per acre per day at peak. These uses typically rely on specialized infrastructure, operate continuously, and create significant, sustained pressures on electrical, water, wastewater, and communications networks. Activities in this category are defined by one or more of the following: intensive resource consumption; elevated carbon or heat emissions; specialized water or sewer needs; heightened emergency response or security requirements; hazardous materials storage; and/or nuisance noise impacts.**