



# Glendale

## **DRAFT UDC REVIEW**

**CITY COUNCIL WORKSHOP**

**NOVEMBER 8, 2022**



# PROJECT UPDATE

# Project Update

## Unified Development Code project efforts following April 2022 Council Workshop

- *Conducted follow-up internal Technical Review Committee (TAC) meetings May 2022*
- *Distributed the “UDC – Public Review Draft” in June 2022*
  - *Made Code available on the project website for review and comment*
  - *Held two in-person Code Review Workshops (Central Glendale 8/29 and North Glendale 8/31)*
  - *Conducted virtual meetings with project stakeholders July 2022 (i.e. property owners, developers, attorneys, professional associations)*
  - *Reviewed with Planning Commission (10/27/20)*
  - *Consolidated all review comments into a “UDC – Comment Tracking Matrix”*

# NEIGHBORHOOD NOTIFICATION REQUIREMENTS



# Neighborhood Notification Requirements

Table 6.200-2: Application Notification Requirements					
	General Public Notification <sup>1</sup>			Property Owner Notification <sup>1</sup>	
	Notice of Public Hearing	Newspaper Notice <sup>1</sup>	Site Posting <sup>2</sup>	Notification Distance	Notice of Public Hearing
<b>Annexation</b>	See A.R.S. §9-471				
<b>Initial Zoning</b>	Yes	Yes	Yes	300 ft	Yes
<b>General Plan Amendment, Major and Minor</b>					
• ≤40 acres	Yes	Yes	Yes	500 ft (300')	Yes
• >40, but ≤120 acres	Yes	Yes	Yes	700 ft (300')	Yes
• >120 acres	Yes	Yes	Yes	900 ft (300')	Yes
• <i>Text amendment only</i>	Yes	Yes	N/A	N/A	Yes
<b>UDC Amendment (Rezoning)</b>					
• ≤40 acres	Yes	Yes	Yes	500 ft (300')	Yes
• >40, but ≤120 acres	Yes	Yes	Yes	700 ft (300')	Yes
• >120 acres	Yes	Yes	Yes	900 ft (300')	Yes
<b>UDC Amendment (Text)</b>	Yes	Yes	N/A	N/A	Yes
<b>Conditional Use Permit</b>	Yes	Yes	Yes	300 ft (300')	Yes
<b>Variance</b>	Yes	Yes	Yes	300 ft (N/A)	Yes
<b>Interpretation, Zoning Clearance, or Administrative Relief</b>	No	No	No	N/A	No
<b>Administrative Review</b>	No	No	No	300 ft (N/A)	No
<b>Design Review, Minor, Standard, or Major</b>	No	No	No	N/A	No
<b>Temporary Use Permit</b>	No	No	No	N/A	No

<sup>1</sup> City to manage notification.

<sup>2</sup> Applicant to post site.

Reviewed Notification Distances for all application types

## Compared to Benchmark Communities

- Peoria: 300', site plan, variance; 600' – 1320', GPA, Rezone, CUP
- Surprise: requires public notice
- Scottsdale: 750', rezone, GPA

# PLANNED RESIDENTIAL DEVELOPMENT (PRD)



# Planned Residential Development (PRD)

## Existing PRD Development Standards

- *Allows select modifications to Development Standards (except density), all other provisions shall apply*
- *Shall conform to permitted uses for underlying zoning*
- *May be established as an overlay district in SR and R-1 Zoning Districts (single residence subdivisions)*
- *Requires recommendation from Planning Commission and approval from City Council (identical to PAD process)*

## Proposed PRD Development Standards

- *Allows select modifications to Development Standards (except density), all other provisions shall apply*
  - *Includes additional modification limitations on (lot width, setbacks, lot coverage, height, open space)*
- *Shall conform to permitted uses for underlying zoning*
- *Expanded to be allowed as an overlay district in single residence districts SR, R-1, and multiple residence districts R-2, R-3, R-4 and R-5*
- *PRD can only be applied in residential use applications*
- *Considered through the Administrative Review Process*



**ACCESSORY USES**

# Accessory Uses

## Existing Accessory Use Standards

- *Applies universal standards to accessory buildings, structures and satellite earth stations*
- *All accessory uses must be located behind front wall plane*
- *No clear guidance on size*
- *Applies additional (1' or 2') setback for each foot over 7' in height*
- *Max height of residential accessory buildings is 15' and in A-1 and SR is 20'*
- *Has unique standards for storage sheds*

## Proposed Accessory Use Standards

- *Defines and guides application by accessory types (i.e. uses, buildings, and structures)*
- *Provides more detailed guidance for size, location and material*
  - *Applies a universal additional setback of 2' for each foot over 7' in height up to the principal building setback*
  - *Provides exceptions for movable structures, alley conditions, and A-1 zoning district*
  - *Size limited to building footprint of principal building, except in A-1, RR, C-3, B-P, M-1 and M-2*
- *Must be constructed of material that has visual appearance of principal building*



**TINY HOMES**

# Tiny Homes

**Definition:** Dwelling, Tiny Home: A site built single family dwelling less than 400 square feet, but not less than 200 square feet in floor area. A tiny house licensed as a Travel Vehicle by the State of Arizona shall meet requirements for a Recreational Vehicle.

**Principal Use:** Allowed in A-1, RR, SR, R-1, R-2, R-3 and R-4

## **Supplemental Use Provisions:**

- Non-mobile tiny house (site built): allowed as defined above and as accessory use
- Mobile tiny house: allowed in zones for manufactured homes, multiple residence and accessory uses

**Review Comments:** Concern over promoting in single family zoning districts and impact to neighborhood character / allowed density

**Proposed Revision:** limit to accessory use

# RECREATIONAL MARIJUANA



# Recreational Marijuana

## Existing Medical Marijuana Regulations

- *Medical Marijuana Dispensary Offsite Cultivation*  
*Location: permitted in M-1 and M-2*
- *Medical Marijuana Dispensary: permitted in G-O, C-2, and C-3*
- *Medical Marijuana Infusion (or Manufacturing Facility): permitted in M-1 and M-2*
- *Applies specific separation requirements from land use types (1,320') and other marijuana facilities (5,280')*

## Recreational Marijuana

Approved by voters (Prop 207) in 11/3/20 and effective on 1/22/21

## Proposed Marijuana Regulations

- *Update essentially proposes to treat recreational marijuana the same as medical marijuana*
- *Only allows operation of dual licensee who operates both a nonprofit medical marijuana dispensary and marijuana establishment cooperatively*
- *Prohibits stand alone Marijuana Establishment*



**PARKING**

# Off-Street Parking

## Existing Off Street Parking Ratios

- *Over parked under certain use types*

## Alternative Parking Standards

- *No flexibility to accommodate select conditions or unique projects*

## Proposed Off Street Parking Ratios

- *Right sized parking ratios*
- *Enhanced guidance for common building conditions (e.g. multiple use, shell, etc)*
- *Parking Justification Study*

## Alternative Parking Standards

- *Joint Use Parking*
- *Off-Site Parking*
- *Bicycle Parking*
- *Passenger Loading*

# TEMPORARY SIGNS & MURALS

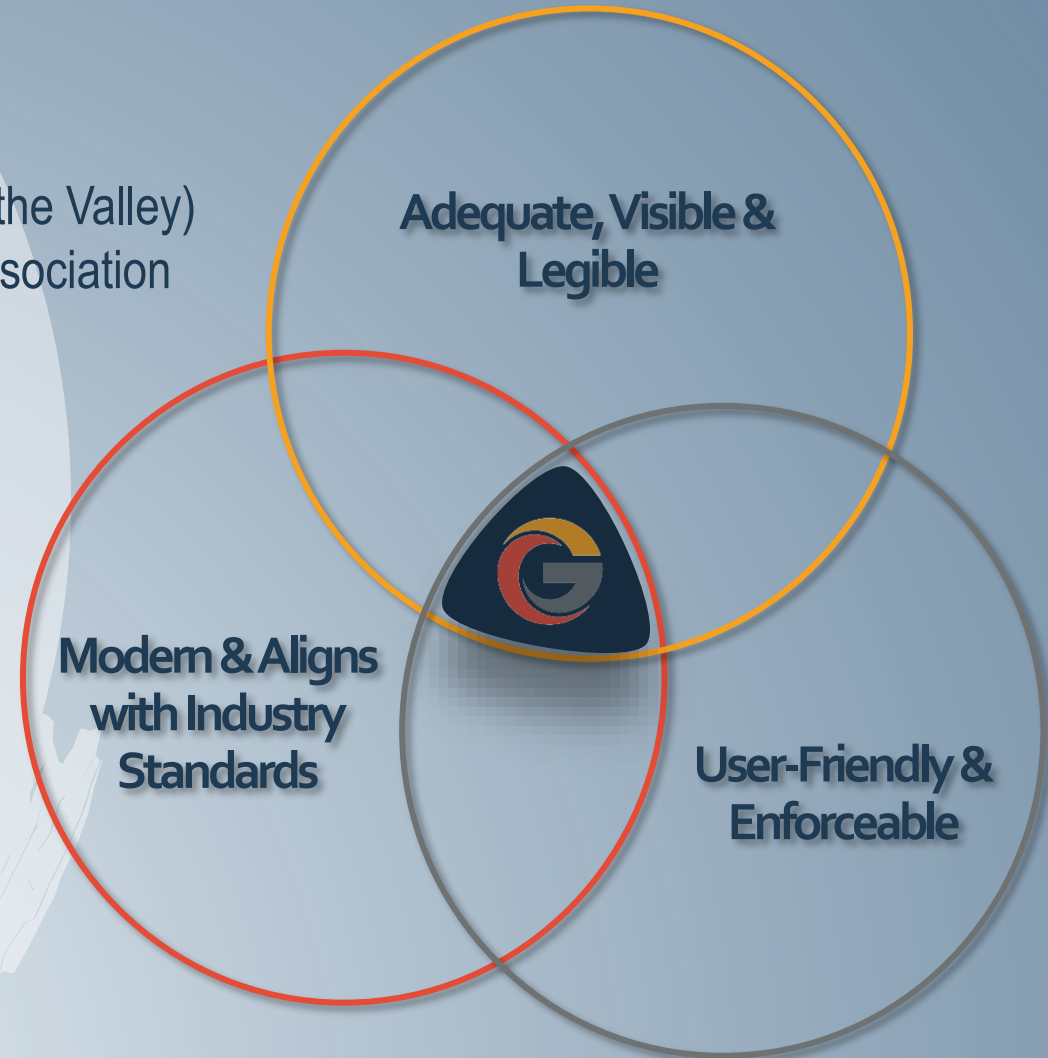


# Temporary Signs & Murals

Sought and received feedback from key stakeholders and industry representatives on draft sign code

Feedback received from:

- WeSERV (West and SouthEast Realtors of the Valley)
- Arizona Chapter of the International Sign Association
- Arizona Sign Association
- City Council Business Committee
- Staff Technical Advisory Committee (TAC)



# Temporary Signs & Murals

## Building Signs



## Site Signs



## Temporary Signs



## Murals



## Existing Temporary Sign & Mural Regulations

- Not "Reed" Compliant (i.e. not content neutral)
- Limited guidance on common temporary sign types
- No guidance on application of Murals

## Proposed Temporary Sign & Mural Regulations

- Revised regulations to be "Reed" Compliant
- Enhanced guidance for Weekend Directional Signs, Yard Signs, A-Frame signs, Feather / Swooper Signs, Inflatables, Sign Walkers
- Provide enhanced guidance for application of murals
  - Administrative Permit/Design Review process
  - Must respect free speech
  - Excludes publicly commissioned art



**GROUP HOMES**

# Group Homes

## Federal Law

- *The Fair Housing Act, Title VIII of the Civil Rights Act of 1968, prohibits discriminatory practices in housing based on race, color, sex, religion, national origin or familial status. The Fair Housing Amendments Act (FHAA) was adopted by Congress in 1988 to extend protections to persons with disabilities (this includes persons who suffer from substance abuse).*
- *The Fair Housing Act makes it unlawful to refuse to make “reasonable accommodations” to rules, policies, practices, or services, when such accommodations may be necessary to afford persons with disabilities an equal opportunity to use and enjoy a dwelling.*

## Arizona Revised Statutes

*36-582. Residential facilities; zoning; notice; appeal*

- *A. Unrelated persons living together notwithstanding, a residential facility which serves six or fewer persons shall be considered a residential use of property for the purposes of all local zoning ordinances if such facility provides care on a twenty-four hour per day basis. The residents and operators of such a facility shall be considered a family for the purposes of any law or zoning ordinance which relates to the residential use of property.*

## Existing Code

- *Combines all “Group Home” types (i.e. dwelling shared by 6-10 disabled persons)*
- *Includes separation requirements (1,320’) and “reasonable accommodation” provisions (ZTA20-01 12/20)*

**Review Comments:** *No clear provisions for dwellings shared by individuals without disability.*

**Proposed Revision:** *Refine Group Homes to distinguish between “Group Care Home – housing for 6-11 unrelated persons who do not have a disability” and “Residential Care Home – housing for 6-11 unrelated persons who live together because of disability”.*

# GOOD NEIGHBOR POLICY



# Good Neighbor Policy – Wireless Communication Facility

## City Code

- *Wireless Communication Facilities (WCF), Section 7.600 of city code (attached) was adopted in 2019*
- *Applies to all WCF's for all zoning districts*
  - *Concealed, Disguised, and Visible*

## Good Neighbor Policy

- *Would apply to all requests for cell towers on city-owned properties.*

## Proposed UDC

- *Section 7.600 pulled into Section 35.3.105.C of UDC*
- *When WCF is proposed adjacent to residentially zoned property, would trigger “Good Neighbor Policy”*
- *For City Owned property, minimum 300’ setback (increase by 20’ for every 5’ increase in height above 65’ up to maximum allowed height for WCF type)*
- *Consider CUP process vs. Administrative Review process*

# ADDITIONAL QUESTIONS & NEXT STEPS



# Additional Questions?

**Article 1 – General Provisions**

**Article 2 – Zoning Districts**

**Article 3 – Supplemental Use Provisions**

**Article 4 – General Development Regulations**

**Article 5 – Subdivisions (Reserved)**

**Article 6 – Administration & Procedures**

**Article 7 – Compliance & Nonconformities**

**Article 8 - Definitions**

# Next Steps

## Final Revisions

- **November:** Finalize edits to UDC based on review comments

## Adoption Process

- **December:** Public Hearing with Commission, Recommendation
- **January:** Public Hearing with Council, Adoption