

ATTACHMENT B



City of Phoenix

PLANNING AND DEVELOPMENT DEPARTMENT

Staff Report Zoning Ordinance Text Amendment Z-TA-8-25-Y October 22, 2025

Application No. Z-TA-8-25-Y: Amend the Phoenix Zoning Ordinance Chapter 12, Section 1203 (Land Use Matrix, Downtown Code) to allow public utility buildings and facilities to obtain administrative approval from the City when in full compliance with all applicable development regulations of the Downtown Code, including any specific Character Area regulations. Under current ordinance, all public utility buildings and facilities must obtain approval from the Design Review Committee through a public hearing process.

Staff recommendation: Staff recommends approval of Z-TA-8-25-Y per the language proposed in Exhibit A.

BACKGROUND AND PURPOSE

This text amendment is a response to HB 2447 and HB 2928, both approved by the Arizona Legislature (2024). HB 2447 revised Section 9-500.49, Arizona Revised Statutes, to change an existing permission to a requirement: specifically, to require municipalities to allow administrative personnel to review and approve design review plans without a public hearing. HB 2928 modified HB 2447 to clarify that the administrative review requirement did not apply to design review plans for properties designated historic, which often require approval through a public hearing.

The purpose of this text amendment is to revise the zoning ordinance to comply with the administrative design review requirements of HB 2447 and HB 2928. Staff have concluded that only one existing review process needs to be modified, that being the requirement for Design Review Committee to approve any public utility building or facility (such as a substation) when zoned Downtown Code.

PROPOSAL

Staff recommends the revision of Section 1203.D.28, to introduce an option for the

public utility building to be administratively approved if designed in compliance with development regulations of the Downtown Code applicable to any other type of building provided on the same site. The process for Design Review Committee approval would still remain as an option for appeal if the proposed facility cannot or will not comply with the otherwise-applicable development regulations.

PROPOSED LANGUAGE

The proposed modified language is attached as Exhibit A.

CONCLUSION

Staff recommends approval of Z-TA-8-25-Y per the language proposed in Exhibit A.

Writer

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October 22, 2025

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Exhibits

A. Proposed Language

Exhibit A

Staff proposed language that may be modified during the public hearing process is as follows:

Amend Section 1203. Land Use Matrix (Downtown Code) to read as follows:

Section 1203. Land Use Matrix

- D. *Land Use Conditions.* The following shall apply to uses that are permitted with conditions (pc) OR USE PERMIT (up) as indicated with a number that corresponds with the Land Use Matrix in Section 1203.C:

28. Public utility buildings and facilities ~~shall be fully screened and subject to the following:~~ MUST COMPLY WITH ALL DEVELOPMENT REGULATIONS APPLICABLE TO THE PROPOSED SITE AS SET FORTH IN THIS CHAPTER, UNLESS THE APPLICANT REQUESTS THAT THE DESIGN REVIEW COMMITTEE APPROVE A DESIGN ALTERNATIVE APPEAL PER THE PROVISIONS OF SECTION 1224.A AS MODIFIED IN (A) THROUGH (F) BELOW:

- a. Mixed use opportunities should be prioritized for locating utility buildings and facilities. The applicant shall submit a written analysis to the Planning and Development Director or his/her designee of possible mixed use opportunities to allow for an integrated development project that minimizes the visual impact of the proposed utility. (R*)

- b. All public utility ~~buildings and facilities~~ AND EQUIPMENT SHALL BE FULLY SCREENED FROM ABUTTING STREETS, WITH THE EXCEPTION OF REQUIRED UTILITY POLES ~~subject to the provisions of this land use condition shall be reviewed and acted upon by the Design Review Committee as a design alternative appeal, per the provisions of Section 1224.A. (R*)~~
- c. The applicant must hold a public neighborhood meeting and send written notification of the public neighborhood meeting and the DRC hearing date to real property owners and to neighborhood associations registered with the City pursuant to the DRC process handout.
- d. The use cannot be located on a light rail street or adjoining Hance Park, or only separated by a street from Hance Park, unless the mixed use opportunity outlined in Section 1203.D.28.a is satisfied.
- e. For the required street frontage(s), the Design Review Committee (DRC) may approve one of the following:
 - (1) A wall designed to mimic the frontage type which meets the intent of both the applicable character area and the streetscape standards, and that appears to be a conforming building as viewed from street.
 - (2) A creative use or frontage design alternative that surrounds the public utility building and facilities, as determined by the DRC as appropriate for scale of the area.
 - (3) A micro-park, which shall include at least three of the following elements, as indicated below, and as determined by the DRC as appropriate for scale of the area:

A minimum of two of the following installations:

 - (a) Recreational amenities such as but not limited to a single basketball hoop, swing, and/or climbing equipment.

- (b) Landscape areas designed to create outdoor rooms or useful spaces, which may include extensive hardscape, decorative paving and/or artificial turf.
- (c) Shade trees or shade structures.
- (d) Lighting and seating designed to discourage camping.

In addition, a minimum of one of the following more significant scale installations:

- (e) A local public art component and/or wall displays for local public arts organizations.
- (f) An educational component that describes the history or setting.
- (g) Facilities for pop-up retail, restaurant, farmers markets, and/or public events, which may include programming that changes seasonally, if permitted in the character area.
- (h) Facilities for pets, which may include water sources, enclosures for off-leash activity, and stations for pet washing.

- f. When considering an alternative frontage proposal in accordance with Section 1203.D.28.e, the DRC is authorized to provide relief from other streetscape and frontage zone regulations, including those indicated as (R). **TECHNICAL APPEALS CANNOT BE APPROVED BY THE DRC.**
