

ATTACHMENT A

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ADOPTED ORDINANCE

ORDINANCE G-

AN ORDINANCE AMENDING PORTIONS OF THE CODE OF THE CITY OF PHOENIX, ARIZONA, PART II, CHAPTER 41, THE ZONING ORDINANCE OF THE CITY OF PHOENIX BY AMENDING CHAPTER 3 (DECISION MAKING AND ADMINISTRATIVE BODIES), CHAPTER 5 (DEVELOPMENT REVIEW PROCEDURES) AND CHAPTER 13 (WALKABLE URBAN CODE) OF THE ZONING ORDINANCE TO EXPAND THE WU CODE BOUNDARIES CITYWIDE, INCLUDING UPDATES TO CLARIFY RELEVANT POLICY PLANS, CLARIFICATION OF WU CODE PROCESS AND PROCEDURE, AND UPDATING GENERAL LOT STANDARDS RELEVANT TO THE EXPANSION; AND AMEND THE ZONING FEE SCHEDULE TO INCLUDE FEES FOR WU CODE TRANSECT DISTRICTS, DOWNTOWN CODE-CHARACTER AREAS, AND UPDATE FEES FOR NEW PROCESSES.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PHOENIX, as follows:

SECTION 1. That Chapter 3, Section 309.A (Design Review Committee) is amended to read as follows:

- A. **Powers and Duties.** The Design Review Committee shall have the power and duty under the provisions of these regulations to hear specific items appealed by the development review applicant contesting decisions made by the Planning and Development Department regarding the interpretation and implementation of design guidelines and architectural diversity standards, to review and approve Design Alternatives and Sustainability Bonuses for properties within the boundaries of the Downtown Code, and to review and approve design alternatives and modification to PROPERTIES WITH standards within the boundaries of the Walkable Urban Code ZONING.

SECTION 2. That Chapter 5, Section 507.G (Design Alternatives and Sustainability Bonus Appeals), is amended to read as follows:

- G. **Design Alternatives and Sustainability Bonus Appeals.** A Design Alternative or Sustainability Bonus Appeal is a deviation from the prescribed standards and design guidelines. Design Alternatives and Sustainability Bonus Appeals apply to properties within the boundary of the Downtown Code, which would result in a furtherance of the goals and policies of the Downtown Phoenix Plan and the specific intent of the subject Character Area as approved by the DRC. Design Alternatives apply to properties ~~within the boundaries of the~~ WITH Walkable Urban Code ZONING, which would result in a furtherance of the goals and policies of ~~the Gateway, Eastlake-Garfield, Midtown, Uptown and Solano~~ Transit Oriented District (TOD) Policy Plans OR OTHER RELEVANT POLICY PLANS.

SECTION 3. That Chapter 5, Section 507.G.1.c, is amended to read as follows:

- c. A narrative statement describing the justification for the Design Alternative and the manner in which the proposed Design Alternative would result in a furtherance of the goals and policies of the Downtown Phoenix Plan, ~~or of the Gateway, Eastlake-Garfield, Midtown, Uptown and Solano~~ TOD TRANSIT ORIENTED Policy Plans, OR OTHER RELEVANT POLICY PLANS and would satisfy the findings required for approval;

SECTION 4. That Chapter 5, Section 507.G.4.c, is amended to read as follows:

- c. That the project demonstrates design excellence by addressing Design Alternatives that demonstrate conformance with the intent of the Walkable Urban Code as set forth in Section 1301.B and in general conformance with the policies contained within the ~~Gateway, Eastlake-Garfield, Midtown, Uptown and Solano~~ TOD TRANSIT ORIENTED Policy Plans OR OTHER RELEVANT POLICY PLANS. The modifications must meet the standards set forth in Section 1313.

SECTION 5. That Chapter 13, Section 1301.B (Purpose and Intent), is amended to read as follows:

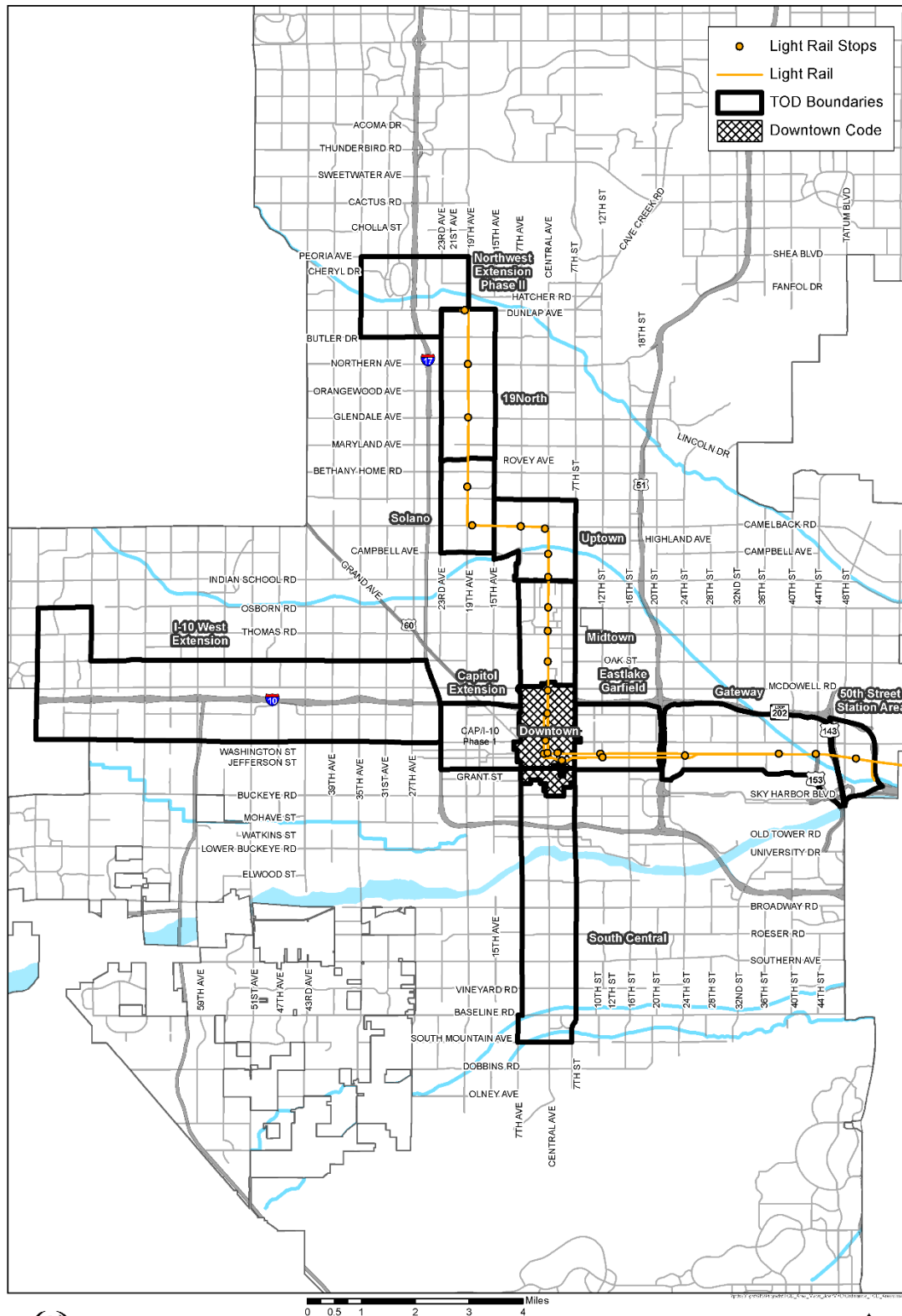
- B. **Purpose and Intent.** The ~~primary purpose~~S of this chapter ~~is~~ ARE to implement the vision and policies of ~~the Transit Oriented District (TOD) Policy Plans for~~

~~Gateway, Eastlake-Garfield, Midtown, Uptown and Solano; encourage an appropriate mixture and density of activity around transit stations; to increase transit ridership in general and along the Central Phoenix/East Valley Light Rail Corridor in particular TRANSIT CORRIDORS; and to promote multiple modes of transportation; The secondary purpose of the Code to improve pedestrian safety from crime;; to avoid or mitigate nuisances;; to promote the public health;; to decrease automobile-dependence;; and to mitigate the effects of congestion and pollution. These regulations seek to achieve these purposes by providing the following:~~

SECTION 6. That Chapter 13, Section 1301.C (Applicability), is amended to read as follows:

- C. **Applicability.** The Walkable Urban Code may be applied and is limited to land uses, subdivisions, and development within the Reinvent PHX Transit Oriented District Policy Plans APPROVED TRANSIT ORIENTED DEVELOPMENT (TOD) DISTRICT BOUNDARIES AS DEPICTED ON THE TRANSIT ORIENTED COMMUNITIES MAP for Gateway, Eastlake-Garfield, Midtown, Uptown and Solano. The boundaries of these areas are shown in the District Maps located in the Transit Oriented District Policy Plans for Gateway, Eastlake-Garfield, Solano, Midtown and Uptown.

Transit Oriented Communities



1. ~~When in conflict, text and numerical metrics in tables shall take precedence over diagrams and illustrations.~~ WALKABLE URBAN CODE TRANSECT DISTRICTS ARE ZONING DISTRICTS AND MAY BE APPLIED FOR THROUGH THE PROCEDURES OUTLINED IN SECTION 506.B.
2. The Zoning Ordinance of the City of Phoenix applies in its entirety for properties subject to Chapter 13 except as follows:
 - a. ~~If a conflict occurs between requirements of the WU Code and the City of Phoenix Zoning Ordinance, the requirements of the WU Code shall prevail.~~ PROPERTIES WITH HISTORIC PRESERVATION (HP) ZONING ARE SUBJECT TO THE PROVISIONS OF CHAPTER 8, HISTORIC PRESERVATION. IN THE EVENT OF A CONFLICT BETWEEN THE PROVISIONS OF CHAPTER 8 AND CHAPTER 13, THE PROVISIONS OF CHAPTER 8 SHALL PREVAIL.
 - b. ~~Properties with Historic Preservation (HP) zoning are subject to the provisions of Chapter 8, Historic Preservation. In the event of a conflict between the provisions of Chapter 8 and Chapter 13, the provisions of Chapter 8 shall prevail. IF A CONFLICT OCCURS BETWEEN REQUIREMENTS OF THE WALKABLE URBAN CODE AND THE REMAINDER OF THE CITY OF PHOENIX ZONING ORDINANCE, THE REQUIREMENTS OF THE WALKABLE URBAN CODE SHALL PREVAIL. THE WALKABLE URBAN CODE DOES NOT ELIMINATE ANY OVERLAY ZONING DISTRICT, REDEVELOPMENT AREA, SPECIAL PLANNING DISTRICT, OR SPECIFIC PLAN. WHERE CONFLICTS OCCUR BETWEEN THE REQUIREMENTS OF THE WALKABLE URBAN CODE AND OVERLAY ZONING DISTRICTS, REDEVELOPMENT AREAS, SPECIAL PLANNING DISTRICTS, OR SPECIFIC PLANS, THE REQUIREMENTS OF THE OVERLAY ZONING DISTRICT, REDEVELOPMENT AREA, SPECIAL PLANNING DISTRICT, OR SPECIFIC PLAN SHALL APPLY.~~
 - c. IF A CONFLICT OCCURS BETWEEN REQUIREMENTS OF THE WALKABLE URBAN CODE AND THE REMAINDER OF THE CITY OF PHOENIX ZONING ORDINANCE, THE REQUIREMENTS OF THE WALKABLE URBAN CODE SHALL PREVAIL.
3. WHEN IN CONFLICT, TEXT AND NUMERICAL METRICS IN TABLES SHALL TAKE PRECEDENCE OVER DIAGRAMS AND ILLUSTRATIONS.

SECTION 7. That Chapter 13, Section 1303.A (General Lot Standards), is amended to read as follows:

A. General Lot Standards.

1. ~~The single-family attached development option (SFA) is allowed in all transect districts except T3:2 and must meet sections 608.F.8 and 615, Table B.~~ SUBDIVISIONS SHALL COMPLY WITH DEVELOPMENT STANDARDS PER THIS CHAPTER, INCLUDING FRONTAGE STANDARDS, FOR ALL EXISTING AND NEWLY CREATED LOTS ABUTTING PUBLIC STREETS, PRIVATE ACCESSWAYS, AND PRIVATE DRIVEWAYS, WITH THE FOLLOWING CAVEATS:
 - a. A DEVELOPMENT MAY INSTEAD UTILIZE THE SINGLE-FAMILY ATTACHED DEVELOPMENT OPTION STANDARDS PER SECTION 608.F.8 AND SECTION 614, TABLE B, COLUMN D (EXCEPT FOR THE DENSITY, WHICH IS NOT RESTRICTED) IF IT MEETS ALL THREE OF THE FOLLOWING CONDITIONS:
 - (1) THE DEVELOPMENT CONSISTS SOLELY OF ATTACHED DWELLING UNITS AND ALLOWABLE ACCESSORY USES;
 - (2) THE DEVELOPMENT IS LOCATED WITHIN THE APPLICABLE AREA FOR THE SINGLE-FAMILY ATTACHED DEVELOPMENT OPTION OR THE INFILL DEVELOPMENT DISTRICT AS DEPICTED ON THE MAP PROVIDED IN SECTION 608.F.8; AND
 - (3) THE DEVELOPMENT IS LOCATED IN ANY TRANSECT OTHER THAN T3.
 - b. ALL SUBDIVISIONS MUST COMPLY WITH THE REQUIREMENTS OF THE SUBDIVISION ORDINANCE (CHAPTER 32 OF THE CITY CODE), AS MAY BE MODIFIED BY THE SUBDIVISION COMMITTEE TO FURTHER THE GOALS OF THE WALKABLE URBAN CODE.
2. ~~Development in T4, T5 and T6 shall follow the same setback and stepback standards as the single-family attached development option. If development is adjacent to a single-family zoning district (Sections 611, 613) or historic preservation designated property or district the following additional requirements shall apply:~~ ALL DEVELOPMENTS ADJACENT TO SINGLE-FAMILY ZONING DISTRICTS SHALL FOLLOW THE SAME SETBACK AND STEPBACK STANDARDS AS THE SINGLE-FAMILY ATTACHED DEVELOPMENT OPTION (SECTION 614, TABLE B, COLUMN D); WITH ADDITIONAL REQUIREMENTS AS FOLLOWS:

- a. ~~Minimum ten-foot landscape setback, except for single-family detached dwellings.~~ STEPBACK PROVISION SHALL NOT EXCEED MAXIMUM 75-FOOT SETBACK FROM REAR AND SIDE PROPERTY LINES FOR BUILDING HEIGHT BEFORE MAXIMUM HEIGHT ALLOWED.
- b. ~~Stepback provision shall not exceed maximum 75-foot setback from rear and side property lines for building height before maximum height allowed.~~ FOR ALL DEVELOPMENT ABUTTING A HISTORIC PRESERVATION DESIGNATED PROPERTY OR DISTRICT, A MINIMUM TEN-FOOT LANDSCAPE SETBACK SHALL BE PROVIDED.
- c. NO STEPBACK PROVISIONS OR LANDSCAPE SETBACKS ARE REQUIRED WHERE THE DEVELOPMENT ABUTS A PERMANENT OPEN SPACE AT LEAST 40 FEET IN DEPTH, SUCH AS A WASH, PRESERVE, PARK, EXISTING GOLF COURSE, OR DEDICATED OPEN SPACE.

- 6. **Primary Frontages.** Lot lines abutting a right-of-way, PRIVATE ACCESSWAY, OR PRIVATE DRIVEWAY are designated as primary frontage lineS or secondary frontage lineS as follows:
 - a. For lots abutting a right-of-way, PRIVATE ACCESSWAY, OR PRIVATE DRIVEWAY along a single lot line, the abutting lot line is designated the primary frontage.
 - b. For lots abutting MULTIPLE rights-of-way, PRIVATE ACCESSWAYS, OR PRIVATE DRIVEWAYS ~~along multiple streets right-of-way~~, primary frontage is designated by the Planning and Development Department, AND all remaining frontages are designated secondary frontages.

SECTION 8. That Chapter 13, Section 1304.F.2 (Building and Shade), is amended to read as follows:

- 2. Developments should include shading along their entire ~~right-of-way~~ frontage, excluding driveways, loading, and service berths.

SECTION 9. That Chapter 13, Section 1305.A (Applicability), is amended to read as follows:

- A. **Applicability.** Standards and frontage types in this section regulate the area between the property line and the front facade of a building in order to support an urban, pedestrian and transit oriented environment ~~within the boundaries of the WU Code.~~

SECTION 10. That Chapter 13, Section 1306.A (Applicability), is amended to read as follows:

- A. **Applicability.** The Land Use Matrix in Table 1306.1 shall apply to all ~~PROPERTIES WITH WALKABLE URBAN CODE ZONING land uses within the WU Code boundaries.~~

SECTION 11. That Chapter 13, Section 1306.H.1.b, is amended to read as follows:

- b. Allowed with use permit if property outside the areas noted above ~~but within the Transit District Policy Plans for Gateway, Eastlake-Garfield, Midtown, Uptown and Solano.~~

SECTION 12. That Chapter 13, Section 1310.A (Open Space Guidelines), is amended to read as follows:

A. **Open Space Guidelines**

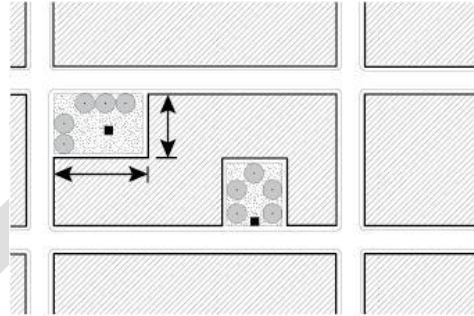
1. Parcels zoned T3 are exempt from required public OPEN space improvements.
2. Open space requirements for ~~commercial, nonresidential and mixed-use development~~ DEVELOPMENTS WITHIN THE T4, T5, AND T6 TRANSECTS ARE as follows:
 - a. For sites of one gross acre or larger, minimum open space of at least five percent of the gross lot SITE area shall be required. FOR DEVELOPMENTS UTILIZING THE SINGLE-FAMILY ATTACHED DEVELOPMENT OPTION STANDARDS IN ACCORDANCE WITH SECTION 1303.A.1.A, OPEN SPACE SHALL BE PROVIDED AS REQUIRED BY SECTION 614, TABLE B, COLUMN D, REGARDLESS OF LOT SIZE.

SECTION 13. That Chapter 13, Section 1310, Table 1310.1 (Public Space Type Guidelines), is amended to read as follows:

Table 1310.1 Public OPEN Space Type Guidelines

PUBLIC OPEN SPACES

Transect Zone	T4, T5, T6
Size	Five percent of the gross site area above one acre.*
Edge Condition	One side minimum fronting a thoroughfare or pedestrian way.
Surface	Paved and landscaped.
Shade and Landscaping	50 percent shade provided by trees. Ground cover and shrubs: Should be provided in areas with no pavement or structures.



*SINGLE-FAMILY ATTACHED DEVELOPMENTS MUST PROVIDE OPEN SPACE AS REQUIRED PER SECTION 1310.A.2.A.

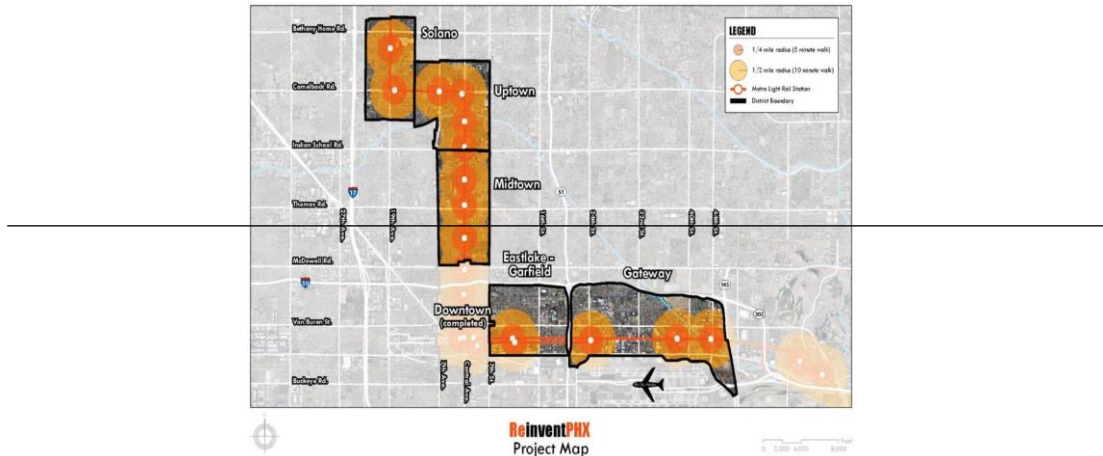
SECTION 14. That Chapter 13, Section 1311.A.1 (General Considerations), is amended to read as follows:

- c. Walking and bicycling should be encouraged ~~within the Gateway, Eastlake-Garfield, Midtown, Uptown and Solano Districts~~, particularly in support of transit services, TRANSIT ORIENTED POLICY PLANS, AND OTHER RELEVANT POLICY PLANS:

SECTION 15. That Chapter 13, Section 1313.D.3.a, is amended to remove the map and read as follows:

- a. An approval from the DRC shall be included on the final site plan.

Transit Oriented Development Districts Map



SECTION 16. That Appendix A (Zoning Fee Schedule) is amended to read as follows and renumbered accordingly:

1 [Fee schedules].

A. Applications for zoning amendments, hillside density waivers, written certification of zoning, promotional event permits, and specific plans shall be accompanied by appropriate fees as determined from the following schedule:

1. Fees.

7. REZONING TO WALKABLE URBAN (WU) CODE

A.	T3:2, T4:2, AND T4:3	\$2,655.00 PLUS \$210.00 PER ACRE OR PORTION THEREOF
B.	T5:2, T5:3, T5:5, T5:6, T5:7, AND T6:7	\$3,910.00 PLUS \$415.00 PER ACRE UP TO 40 ACRES, \$210.00 FOR MORE THAN 40 ACRES UP TO 100 ACRES, AND \$70.00 PER ACRE FOR MORE THAN 100 ACRES
C.	T6:15 AND T6:22	\$8,610.00 PLUS \$830.00 PER ACRE OR PORTION THEREOF
D.	T6:HWR	IF PART OF THE ORIGINAL ZONING REQUEST, NO ADDITIONAL FEE. IF A SEPARATE REQUEST, 30% OF THE

T6:15 OR T6:22 FILING FEE
APPLICABLE TO THE
PROPERTY.

21.	ADMINISTRATIVE TEMPORARY USE PERMIT	\$135.00
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PASSED by the Council of the City of Phoenix this 2nd day of February, 2022.

MAYOR

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

REVIEWED BY:

City Manager