

**ATTACHMENT D****TA-4-21****Interior Suite with Accessory Cooking Facilities Expansion  
(FOR RECOMMENDATION) - Village Planning Committee Summary Results**

<b>Village</b>	<b>Date</b>	<b>Recommendations</b>	<b>Vote</b>
South Mountain	12/14/21	Approval per staff recommendation.	9-1
Maryvale	1/12/22	Approval per staff recommendation.	10-0
North Mountain	1/19/22	Approval per staff recommendation.	13-1

**Village Planning Committee Meeting Summary**  
**Z-TA-4-21**

<b>Date of VPC Meeting</b>	December 14, 2021
<b>Request</b>	Presentation, discussion, and possible recommendation on a request to amend Chapter 6, Section 608.D.8 of the Zoning Ordinance to expand the applicability of interior suite with accessory cooking facilities.
<b>Recommendation</b>	Approval, per the staff recommendation.
<b>Vote</b>	<b>9-1</b> ; Members Aldama, Brooks, Busching, Hare, Holmerud, Shepard, Viera, Marchuk and Daniels in favor; Member Coleman in dissent.

**VPC DISCUSSION & RECOMMENDED STIPULATIONS:**

*No members of the public registered to speak on this item.*

**Enrique Bojórquez**, staff, introduced himself and provided a presentation on case Z-TA-4-21. He provided an overview of the request, noting the proposed expansion on the applicability area. He also provided a summary of interior suites, and background on the 2018 text amendment for this section of the Zoning Ordinance. He concluded the presentation by providing a schedule on the text amendment case.

**Rod Jarvis**, with Earl and Curley PC, introduced himself as the applicant and provided an overview of the request.

**Marcia Busching** supports this proposal but wonders why this request does not propose to expand these provisions citywide. **Mr. Bojórquez** responded that this text amendment was privately filed, thus not a city-initiated request. He will share the suggestion with others in the department for future consideration.

**Vice Chair Marchuk** asked for clarification on the scope of the text amendment case. He would support a broader expansion of this provision citywide. **Mr. Bojórquez** responded that the scope of this request is limited to the expansion of the applicability area for interior suites.

**Mr. Jarvis** stated that this request is a step in the right direction.

**Gene Holmerud** and **Chairwoman Daniels** support this request.

**Vice Chair Marchuk** asked for clarification on how these provisions could be expanded citywide. **Mr. Bojórquez** responded that a private application could be filed, or the Planning Commission could initiate a text amendment request given other considerations.

**Lee Coleman** asked if a use permit was an option to utilize this provision of the code. **Mr. Bojórquez** responded that a use permit was not an option and a text amendment was necessary to expand this provision of the code.

**Chairwoman Daniels** asked for further discussion or a motion on this case.

**MOTION:**

**Mr. Coleman** motioned to deny case Z-TA-4-21. This motion failed due to lack of a second.

**Chairwoman Daniels** asked for subsequent motions.

**MOTION:**

**Ms. Busching** motioned to approve case Z-TA-4-21 per the staff recommendation in Exhibit A of the staff report. **Mr. Holmerud** seconded the motion.

**VOTE:**

**9-1**, motion passed; Members Aldama, Brooks, Busching, Hare, Holmerud, Shepard, Viera, Marchuk and Daniels in favor; Member Coleman in dissent.

**STAFF COMMENTS REGARDING VPC RECOMMENDATION & STIPULATIONS:**

None.

## Village Planning Committee Meeting Summary

### Z-TA-4-21

<b>Date of VPC Meeting</b>	January 12, 2022
<b>Request</b>	Amend Chapter 6, Section 608.D.8 of the Zoning Ordinance to expand the applicability of interior suite with accessory cooking facilities
<b>VPC Recommendation</b>	Approval, per the staff recommendation
<b>VPC Vote</b>	10-0

#### **VPC DISCUSSION & RECOMMENDED STIPULATIONS:**

**Sarah Stockham**, staff, reviewed the existing applicability area for interior suites with accessory cooking facilities, displayed the ordinance map, reviewed the existing requirements and applicability area and the request to expand the option of interior suites with cooking facilities to three additional Villages (North Mountain, South Mountain and Maryvale), and reviewed the hearing dates for the proposal.

**Taylor Earl**, with Earl and Curley, PC, introduced the proposed text amendment which is to expand the option of interior suites with cooking facilities to three additional Villages (North Mountain, South Mountain and Maryvale), with no changes to the existing requirements as listed in the Zoning Ordinance. Mr. Earl explained that multigenerational housing is needed, by 2030 all baby boomers will have shifted into the ranks of the older population, and that an interior suite has a door between the main house and the suite, is not a separate dwelling unit and has been permitted within the city for a long time. Mr. Earl explained that in 2019, TA-6-18 allowed for interior suites to have an oven, which makes it another dwelling unit. Mr. Earl added that the original text amendment allowed for interior suites with accessory kitchen facilities to be permitted in 8 Villages (Rio Vista, North Gateway, Desert View, Deer Valley, Paradise Valley, Estrella, Laveen and Ahwatukee Foothills) which were the Villages with the greatest amount of vacant land with the acreage to meet the size criteria. Mr. Earl added that this request is to expand the option to build interior suites with cooking facilities to the North Mountain, South Mountain and Maryvale Villages, and clarified that the cooking facility is for a stove/oven. Mr. Earl reviewed the existing requirements for interior suites with cooking facilities, which would be extended to the three proposed Villages if this proposal was approved. The requirements are that the interior suites with cooking facilities are permitted in new subdivisions of 15 acres or more (or subdivided prior to July 5, 2019 but with less than 25 percent of the lots

under construction), under one roof with the remainder of the house, on the ground floor, the square footage shall not be more than 30 percent of the total net floor area of the house, shall not have a separate utility meter, address, driveway or yard area, and shall have no more than one parking space, shall have at least one internal door to the remainder of the house and shall be designed so that the second entry is minimized if viewed from the street. Mr. Earl showed examples of interior suites and interior suites with cooking facilities and shared that this product type provides for more independence with the oven, and it is difficult when an older person feels like they are losing their independence, and that during the pandemic they recognized that senior living facilities might not be the solution for everyone, and some might want to live with their families.

**Questions from the Committee:**

**Saundra Cole** asked that for the zombie subdivisions (land that was subdivided prior to the ordinance adoption but the units were not constructed, largely due to the economic recession) if they also must be 15 acres or more. Mr. Earl replied affirmatively, and that there are not too many of them left in Phoenix.

**Sandra Oviedo** asked why this is not an option for parcels less than 15 acres, if this would only be for big time developers, if there will be disability accommodations in the suites, and expressed a desire to remove the acreage requirement. Mr. Earl replied that the applicability for parcels less than 15 acres is something that could be looked into in the future, with a large subdivision the developer can create floorplans with this product type that create a residential character, allowing existing homes to add interior suites with cooking facilities is a different conversation that would need to go through the public process, this amendment is for any builder, that the 15-acre minimum requirement is already a requirement, they are not adding it with the amendment, and that he does not have the specific construction details as it pertains to disability accommodations.

**Ken DuBose** asked if Lennar has a current project with this product type under construction. Mr. Earl replied that yes, they have the Next Gen homes (with interior suites with cooking facilities) being actively developed in Chandler, Gilbert, near the Estrella Mountains, and in other parts of the West Valley.

**Chair Gene Derie** reiterated that this request is to update the map in the Ordinance to allow interior suites with accessory cooking facilities in North Mountain, South Mountain and Maryvale, and that this request is not to update any of the requirements for these developments.

**Public Comment:**

None.

**Committee Discussion:**

**Sandra Oviedo** shared that she is in favor of removing the 15 acre minimum as a requirement for developments with interior suites with accessory cooking facilities.

**Motion:**

**Mike Weber** motioned to recommend approval of Z-TA-4-21 per the staff recommendation. **Chris Demarest** seconded the motion.

**Vote:**

**10-0**, Motion to approve passed, with Committee Members Barba, Battle, Cole, Demarest, DuBose, O'Toole, Oviedo, Valenzuela, Weber, and Derie in favor.

**STAFF COMMENTS REGARDING VPC RECOMMENDATION & STIPULATIONS:**

None.

## **Village Planning Committee Meeting Summary**

### **Z-TA-4-21**

<b>Date of VPC Meeting</b>	January 19, 2022
<b>Request</b>	Amend Chapter 6, Section 608.D.8 of the Zoning Ordinance to expand the applicability of interior suite with accessory cooking facilities
<b>Recommendation</b>	Approve, per staff recommendation
<b>Vote</b>	13-1

#### **VPC DISCUSSION:**

*No speaker cards were received on this item.*

#### **STAFF PRESENTATION**

**Klimek**, staff, presented the staff report which recommends approval of the text amendment to allow interior suites with accessory cooking facilities in the North Mountain, South Mountain, and Maryvale Villages. An interior suite with a cooking facility is a semi-private space under the same roof in a single-family home with additional amenities such as refrigerators, sinks/disposals, dishwashers, microwaves, range/oven, washer/dryers, and counter/food prep areas. In 2018, these unit types were permitted in eight of the Villages subject to the following restrictions and the proposed amendment would expand these same standards to an additional three villages:

- New subdivisions of 15 acres or more, or previously subdivided and undeveloped.
- Under the same roof as the home, maximum size of 30% of net floor area of home or 800 sq. ft. (whichever is less).
- Single meter, mail service and access point
- Design requirements to address building elevation visible from the street to ensure the single-family neighborhood character is maintained.

The proposed amendment was shared with the three effected villages in November for information only, is appearing in December to those same villages for recommendation, and is scheduled for Planning Commission action on January 6th, and City Council hearing on February 2nd.

#### **APPLICANT PRESENTATION**

**Taylor Earl**, of Earl and Curley, presented on the request to amend the Phoenix Zoning Ordinance to allow accessory cooking facilities in certain circumstances. A few years ago, a similar text amendment made interior suites with accessory cooking facilities permitted in 8 of the 15 villages. This text amendment would allow these new housing types in North Mountain, Maryvale, and the South Mountain Villages.

The city currently allows the construction of accessory living quarters that do not include an oven, range, or utility connections that would allow such facilities; the proposed text amendment would allow for the installation of accessory cooking facilities in residential applications subject to conditions. The text amendment proposes a series of conditions including a restriction to allow only in new subdivision greater than 15 acres, to limit the interior suite to 30 percent of the structure, to require the suite be accessed from the interior of the structure, and to requirement to prohibit a private yard for the interior suite. The target market is multigenerational households.

#### QUESTIONS FROM COMMITTEE

**Alauria** stated that multigenerational housing is an important topic and that assessor suites could even be appropriate in existing neighborhoods because the influx of dependent seniors will rock the housing market nationally. **Earl** agreed but explained that a broader text amendment to consider accessory dwelling units in existing neighborhoods may encounter different considerations and concerns compared to the blank slate of new land developments led by respected national builders.

#### PUBLIC COMMENTS

None.

#### STAFF RESPONSE

None.

#### FLOOR/PUBLIC DISCUSSION CLOSED: MOTION, DISCUSSION, AND VOTE

##### **MOTION:**

**Adams** motioned to approve the request per the staff recommendation.

**Sommacampagna** seconded the motion.

##### **DISCUSSION:**

**VOTE: 13-1**, motion passes with Adams, Alauria, Barraza, Carrell, Fogelson, Larson, McBride, O'Connor, O'Hara, Sommacampagna, Veidmark, Vice Chair Jaramillo, and Chair Krentz in favor; Steinmetz in dissent; and none in abstention.