



Village Planning Committee Meeting Summary

Z-TA-3-19

Date of VPC Meeting	September 27, 2021
Request	Amend Chapters 3, 5 and 13 of the Phoenix Zoning Ordinance to expand the Walkable Urban (WU) Code boundaries citywide and amend Appendix A - Zoning Fee Schedule to include fees for WU Code Transect Districts

VPC DISCUSSION:

No requests to speak from the public were received on this item.

Enrique Bojórquez, staff, introduced himself and provided an informational presentation regarding case Z-TA-3-19. The need for this text amendment arises from the Housing Phoenix Plan goals, growing number of TOD areas, pedestrian-oriented design, and no density limitations part of Walkable Urban (WU) code transects. The WU code is a form-based code that places a greater emphasis on design and providing a greater diversity of housing options. The WU code prioritizes walkability, pedestrian infrastructure and shade plus thermal comfort. Examples of various frontage types, walkability, pedestrian infrastructure and shade were provided. Clarification on what the proposed text amendment does and does not accomplish were provided. A description the various sections of the code which are proposed to be amended were provided pertaining to removal of geographic restrictions, clarification of policy plans, design review criteria, single-family attached related changes, shading requirements, clarify relationship between WU code and other code sections, clarification on building frontage types plus standards, clarification of open space requirements, and amending Appendix A related to fee schedules. This text amendment does not propose minimum acreage limitations for charter schools at this time, and a timeline of the text amendment case was provided.

Darin Fisher asked if the committee would receive more information ahead of the next meeting.

Mr. Bojórquez responded that additional information will be provided before the next committee meeting.

Scott Crouch asked if Addendum A of the staff report will be shared with the committee before the next meeting.

Mr. Bojórquez responded that information will be provided to the committee ahead of the next meeting.

Chairman Elliott discussed the text amendment and stated that staff will be sharing additional information regarding the text amendment before the next meeting.



Village Planning Committee Meeting Summary

Z-TA-3-19

INFORMATION ONLY

Date of VPC Meeting

July 27, 2021

Request

Presentation and discussion on a request to amend Chapters 3, 5 and 13 of the Phoenix Zoning Ordinance to expand the Walkable Urban (WU) Code boundaries citywide and amend Appendix A - Zoning Fee Schedule to include fees for WU Code Transect Districts.

VPC DISCUSSION:

No speaker cards were received

At this time, Solorio arrived bringing to quorum to 14 members (13 being required for a quorum)

STAFF PRESENTATION

Klimek, staff, provided an overview of the request that would allow the Walkable Urban Code (WU Code) to be utilized city-wide and will support the goals of the Housing Phoenix Plan and the Tree and Shade Master Plan. The WU Code emphasizes the form of development, is designed to be more flexible, to better accommodate a mix of uses, and to create a better built environment. When created, the WU Code was envisioned to apply only within approximately one-half mile of light rail and was therefore geographically restricted to only the areas planned through ReinventPHX. Since that time, the light rail has expanded and the newly served areas have not been able to use the WU Code. Additionally, there have been development proposals where the WU Code would have been the best tool in areas such as village cores and new light rail corridors. There have been several projects that have sought a Planned Unit Development which defers broadly to the WU Code so the application of the form-based code is not unprecedented outside of light rail corridors. The text amendment will return to the Village Planning at a future meeting for recommendation.

QUESTIONS FROM COMMITTEE

Adams asked if the expansion will increase density (directly or indirectly) noting that an additional 2,000 units of multifamily are proposed at Christown Spectrum Mall.

- **Klimek** stated that this text amendment does not rezone any property and that, like cases requesting traditional zoning districts, that all cases are reviewed on a case-by-case basis and go through three public hearings.

Adams, noting that the purpose of the expansion is to increase density, asked if there is a study infrastructure capacity such as water, sewer, schools, police, fire, and hospital beds.

- **Klimek** responded that all rezoning cases are routed to interdepartmental reviewers for comment on capacity in addition to being sent to the school districts, APS, and SRP. The WU Code is not a single high-density zone but rather a series of intensities called transects that can be applied to the appropriate context.

Ammon noted that the pedestrian- and transit- orientation of the Walkable Urban Code should produce an environment that does not require as much vehicle parking. He asked if there has been thought in the text amendment to reducing parking requirements for commercial development.

- **Klimek** responded that the text amendment does not modify many of the regulations in the WU Code such as parking requirements. He added that the WU Code does allow for parking reductions when applied within $\frac{1}{4}$ and $\frac{1}{2}$ mile of a light rail station and that the base parking standards are entirely contained in Section 13 (WU Code) and include some reduced standards from those contained in Section 702 which apply to all other zoning districts. **Ammon** expressed support for reduced vehicle parking requirements.

Solorio noted that there are currently discrepancies in the Single Family Attached Development Option especially in the WU Code. He expressed interest in those specific modifications and requested the proposed language.

- **Klimek** agreed to send.
- **Solorio** added that this expansion will create an important tool for small scale and affordable housing production which is especially important because of the current housing supply and affordability crisis currently facing the city.

Bryck stated that he supports housing production and that the city needs it because rents are becoming increasingly unattainable. He stated that the intent of the ReinventPHX Plans were to fill-in the light rail corridors and expressed concerns that the expansion will: justify density in areas without good transit; will draw development attention away from high capacity transit; will not support the creation of “missing middle housing” products such as townhomes and accessory dwelling units; and will only benefit the institutional developers with the time and money to withstand a long rezoning process.

He added that this process is moving quickly and is glad to see elements of the Housing Phoenix Plan being implemented. He asked that the legalization of Accessory Dwelling Units be prioritized with equal speed. He stated that he would like to see more nuance to the text amendment such as a requirement to make the WU Code only eligible within $\frac{1}{4}$ or $\frac{1}{2}$ mile of light rail or a Village Core. He added that he doesn’t believe the text amendment gives enough power to staff or the VPC to deter situations where the WU Code is not appropriate.

Adams concurred with Bryck.

PUBLIC COMMENTS

None.

STAFF RESPONSE

None.

FLOOR/PUBLIC DISCUSSION CLOSED: COMMITTEE DISCUSSION

None.

Village Planning Committee Meeting Summary
Z-TA-3-19
INFORMATION ONLY

Date of VPC Meeting	August 3, 2021
Request From	Presentation and discussion on a request to amend Chapters 3, 5 and 13 of the Phoenix Zoning Ordinance to expand the Walkable Urban (WU) Code boundaries citywide and amend Appendix A - Zoning Fee Schedule to include fees for WU Code Transect Districts.

VPC DISCUSSION & RECOMMENDED STIPULATIONS:

Sofia Mastikhina, staff, provided an overview of the proposed text amendment, which would expand the applicability of the Walkable Urban (WU) Code citywide. She explained that currently, only properties along the light rail corridors are eligible to request this form-based zoning district, and that the proposal would allow for properties that are not along the light rail to request WU Code zoning. She outlined the proposed changes to the Zoning Ordinance and noted that the text amendment initiation language includes reference to changing minimum acreage requirements for charter schools – this will not be addressed in this text amendment.

Chair Jay Swart asked how staff will ensure that none of the charter school language is included when this proposal returns to the committee for a vote. **Mastikhina** explained that the text amendment proposal includes an exhibit outlining all of the proposed Zoning Ordinance content changes, so the committee will have an opportunity to review exactly what will be modified.



Village Planning Committee Meeting Summary

Z-TA-3-19

INFORMATION ONLY

Date of VPC Meeting	July 12, 2021
Request	Amend Chapters 3, 5 and 13 of the Phoenix Zoning Ordinance to expand the Walkable Urban (WU) Code boundaries citywide and amend Appendix A - Zoning Fee Schedule to include fees for WU Code Transect Districts

VPC DISCUSSION:

Sarah Stockham, staff, reviewed the Walkable Urban Code history, Housing Phoenix Plan goals, growing number of TOD areas, pedestrian-oriented design, and no density limitations part of Walkable Urban (WU) code transects. Ms. Stockham added that the WU code is a form-based code that places a greater emphasis on design and providing a greater diversity of housing options, the WU code prioritizes walkability, pedestrian infrastructure and shade and showed examples of various frontage types. Ms. Stockham clarified what the proposed text amendment does and does not accomplish and described the various sections of the code which are proposed to be amended pertaining to the removal of geographic restrictions, clarification of policy plans, design review criteria, single-family attached related changes, shading requirements, clarify relationship between WU code and other code sections, clarification on building frontage types plus standards, clarification of open space requirements, and amending Appendix A related to fee schedules. Ms. Stockham concluded that this text amendment does not propose minimum acreage limitations for charter schools at this time, and a timeline of the text amendment case was provided.

Eva Olivas asked for clarification on the proposed addition to the fee schedule. **Ms. Stockham** replied that the interim fees used by staff will be codified in into the fee schedule table, and that they are not proposed to increase or decrease from their current rate.

Ryan Boyd shared that while he likes the idea of expanding the option of WU Code zoning, he asked the committee if other parts of the code should be updated for the times.

Chris Colyer replied that was a great question and that some issues with the code might be site specific, but he will think about his experience with WU Code projects and supports the text amendment.

Darlene Martinez thanked Mr. Boyd for this question and for Mr. Colyer for his response, understanding that some conflicts with the code might be site-specific.



Village Planning Committee Meeting Summary

Z-TA-3-19

INFORMATION ONLY

Date of VPC Meeting

August 12, 2021

Request

Presentation and discussion on a request to amend Chapters 3, 5 and 13 of the Phoenix Zoning Ordinance to expand the Walkable Urban (WU) Code boundaries citywide and amend Appendix A - Zoning Fee Schedule to include fees for WU Code Transect Districts.

VPC DISCUSSION:

Mr. David Simmons, staff, provided an overview of the proposed text amendment, which would expand the applicability of the Walkable Urban (WU) Code citywide. He explained that currently, only properties along the light rail corridors are eligible to request this form-based zoning district, and that the proposal would allow for properties that are not along the light rail to request WU Code zoning. He outlined the proposed changes to the Zoning Ordinance and noted that the text amendment initiation language includes reference to changing minimum acreage requirements for charter schools – this will not be addressed in this text amendment.

Chairman Joseph Grossman asked if light rail is being considered for the Deer Valley Village area.

Mr. Simmons shared that light rail options are not currently being considered for the Deer Valley Village area. Mr. Simmons also shared that this request would provide an alternative zoning application option to prospective applicants.

Village Planning Committee Meeting Summary

Z-TA-3-19 INFORMATION ONLY

Date of VPC Meeting	August 3, 2021
Request	Presentation and discussion on a request to amend Chapters 3, 5 and 13 of the Phoenix Zoning Ordinance to expand the Walkable Urban (WU) Code boundaries citywide and amend Appendix A - Zoning Fee Schedule to include fees for WU Code Transect Districts.

VPC DISCUSSION:

Committee members Joseph Barto and Jill Hankins arrived to the meeting during this item, bringing the quorum to 9 members.

Julianna Pierre stated that the intent of Z-TA-3-19 is to allow the Walkable Urban (WU) Code to be applied to properties citywide. She stated that this will allow property owners along future light rail extensions, within Transit Oriented Development (TOD) policy plan areas, and other appropriate areas of the City to request rezoning to rezone to WU Code. She provided a brief history of the creation of Chapter 13 of the Zoning Ordinance regarding WU Code. She explained the existing WU code boundaries and transects.

Julianna Pierre explained that Z-TA-3-19 will support the goals of the Housing Phoenix Plan and prevent the need for future amendments to continue adding references to newly approved TOD policy plans. She stated that the text amendment will remove geographic restrictions on WU Code, allow property owners to apply to rezone to WU Code, and update standards regarding single family attached residential development outside TOD districts. She clarified that the text amendment will not automatically rezone any property or modify the rezoning process. She also provided a summary of the proposed changes to the Zoning Ordinance.

Julianna Pierre discussed that amendments to Appendix A, the fee schedule, will establish the administrative fees for requests to rezone to WU code, but will not change any non-WU Code fees.

Committee member Rick Powell asked how allowing WU Code throughout the entire City would affect neighborhoods with Historic Preservation (HP) designation. **Julianna Pierre** stated that properties with HP designation would

still be subject to the HP section of the Zoning Ordinance and the applicant would need to correspond with the City's HP Office.

Committee member Jill Hankins stated that the analysis for future Transit Oriented Districts (TOD) should include distance to parks. **Julianna Pierre** stated that she would pass that recommendation along to the staff working on the text amendment.

Committee member Rick Nowell asked if there would be new information presented on this item at the next meeting. **Julianna Pierre** stated that there may be new information. She added that staff members working on the text amendment are taking comments and concerns from the Village Planning Committee (VPC) members prior to coming back for recommendation.

Committee member Michelle Santoro asked for clarification regarding transects and the rezoning process. **Julianna Pierre** explained that since the process to rezone to WU Code would be the same as any other rezoning, applicants and developers would receive feedback from staff about the appropriateness of certain transects.

Vice Chair Louis Lagrave stated that WU code makes sense to keep mobility and modernity in the core of the City. He added that this could be helpful since walkability could be better throughout Phoenix.

Committee member Rick Powell asked for clarification regarding transects. **Julianna Pierre** explained the twelve transect districts and how those districts vary in intensity. **Committee member Rick Powell** asked why WU Code should be permitted in Desert View. **Julianna Pierre** explained that even at lower densities, WU Code would promote pedestrian oriented design with improved walkability, infrastructure, and shade. **Committee member Rick Powell** stated that WU Code made sense near transit, but not in Desert View. He added that this seemed like a way for developers to push higher density. **Committee member Michelle Santoro** stated that if WU Code was utilized in Desert View, the City would assess the appropriate transect for the area.

Vice Chair Louis Lagrave asked for clarification about the WU Code frontage types. **Julianna Pierre** explained the different frontage types and showed imagery from Chapter 13 of the Zoning Ordinance. She added that each transect would permit certain frontage types. **Vice Chair Louis Lagrave** stated that the frontage types are not compatible with the City or with the southwest character. **Committee member Jill Hankins** stated that the frontage types provide shade and create an outside-inside design, which is conducive to the southwest.

Bramley Paulin, a member of the public, stated that he was concerned with the idea of allowing WU Code City wide. He added that this is an opportunity for the City to bring in density which will result in additional traffic, congestion, and people.

Village Planning Committee Meeting Summary

Z-TA-3-19

INFORMATION ONLY

Date of VPC Meeting

July 12, 2021

Request

Presentation and discussion on a request to amend Chapters 3, 5 and 13 of the Phoenix Zoning Ordinance to expand the Walkable Urban (WU) Code boundaries citywide and amend Appendix A - Zoning Fee Schedule to include fees for WU Code Transect Districts.

VPC DISCUSSION:

One speaker card was received on this item in support with the individual wishing to speak.

STAFF PRESENTATION

Klimek, staff, provided an overview of the request that would allow the Walkable Urban Code (WU Code) to be utilized city-wide and will support the goals of the Housing Phoenix Plan and the Tree and Shade Master Plan. The WU Code emphasizes the form of development, is designed to be more flexible, to better accommodate a mix of uses, and to create a better built environment. When created, the WU Code was envisioned to apply only within approximately one-half mile of light rail and was therefore geographically restricted to only the areas planned through ReinventPHX. Since that time, the light rail has expanded and the newly served areas have not been able to use the WU Code. Additionally, there have been development proposals where the WU Code would have been the best tool in areas such as village cores and new light rail corridors. There have been several projects that have sought a Planned Unit Development which defers broadly to the WU Code so the application of the form-based code is not unprecedented outside of light rail corridors. The text amendment will return to the Village Planning at a future meeting for recommendation.

QUESTIONS FROM COMMITTEE

Vice Chair Bryck asked if the proposed text amendment had been provided.

- **Klimek** responded that it will be provided with the staff report which is currently in development.

Chairman Kleinman asked whether the development community is driving the request and who initiated the text amendment. **Searles** echoed the question about who is driving the text amendment.

- **Klimek** responded that this was initiated by the Planning Commission at the request of the City Council and the Planning and Development Department. He added that the expansion of the Walkable Urban Code had been in discussion for years.

Chairman Kleinman asked how this would apply to a project such as the Country Club tower.

- **Klimek** responded that the Walkable Urban Code would have been an option for the Country Club proposal but that an analysis of policy would still need to support the scale proposed. He added that the provisions of the WU Code would require compliant frontage types on both public streets.

PUBLIC COMMENTS

Mitchell Willard introduced himself as the Director of Development for the Urban Phoenix Project and voiced their support for the text amendment on the basis that it will allow private property owners to increase to improve the quality of life across the city through benefits such as increase shade and bringing the parents of the street which would not only benefit developers, but also the community at large. By promoting shade and walkability in private developments, the expansion of the code is one tool to get the city walking, bicycling, and using transit in their city. On a larger scale, he noted that a more flexible code that focuses on creating a high-quality pedestrian environment with opportunities for mixed-use will support affordability.

STAFF RESPONSE

None.

FLOOR/PUBLIC DISCUSSION CLOSED: COMMITTEE DISCUSSION

The committee discussed the proposal with the following highlights.

Concerns that the expansion of the WU Code will:

- only benefit institutional builders;
- dilute the incentive of focusing development along light rail corridors;
- not help create missing-middle housing;
- not make sense because it was written to facilitate transit oriented development and this expansion will allow those incentive standards without transit;

Support that the expansion of the WU Code on the basis that it

- should accommodate transit-oriented development only along light rail including the new lines, but not be expanded city-wide;

Additional comments:

- The requirements of the rezoning process exclude small owners and developers necessary to create missing middle housing. Incentives should be targeted to support missing middle housing through small, non-institutional builders.

- The WU Code was intended to be narrowly focused around light rail and should remain focused around major public investments in transit.
- The WU Code allows for more negotiation which is good and bad.

Village Planning Committee Meeting Summary
Z-TA-3-19
INFORMATION ONLY

Date of VPC Meeting	July 20, 2021
Request	Presentation and discussion on a request to amend Chapters 3, 5 and 13 of the Phoenix Zoning Ordinance to expand the Walkable Urban (WU) Code boundaries citywide and amend Appendix A - Zoning Fee Schedule to include fees for WU Code Transect Districts.

VPC DISCUSSION & RECOMMENDATION:

No requests to speak from members of the public were received.

Enrique Bojórquez, staff, introduced himself and provided an informational presentation regarding case Z-TA-3-19. The need for this text amendment arises from the Housing Phoenix Plan goals, growing number of TOD areas, pedestrian-oriented design, and no density limitations part of Walkable Urban (WU) code transects. The WU code is a form-based code that places a greater emphasis on design and providing a greater diversity of housing options. The WU code prioritizes walkability, pedestrian infrastructure and shade plus thermal comfort. Examples of various frontage types, walkability, pedestrian infrastructure and shade were provided. Clarification on what the proposed text amendment does and does not accomplish were provided. A description the various sections of the code which are proposed to be amended were provided pertaining to removal of geographic restrictions, clarification of policy plans, design review criteria, single-family attached related changes, shading requirements, clarify relationship between WU code and other code sections, clarification on building frontage types plus standards, clarification of open space requirements, and amending Appendix A related to fee schedules. This text amendment does not propose minimum acreage limitations for charter schools at this time, and a timeline of the text amendment case was provided.

Lisa Perez has concerns over expanding WU code in some parts of the city, especially areas along the western edge of the Estrella Village. She supports the WU code, but wants to make sure that the expansion areas are appropriate.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

None.

Village Planning Committee Meeting Summary

Z-TA-3-19

INFORMATION ONLY

Date of VPC Meeting	July 12, 2021
Request	Presentation and discussion on a request to amend Chapters 3, 5 and 13 of the Phoenix Zoning Ordinance to expand the Walkable Urban (WU) Code boundaries citywide and amend Appendix A - Zoning Fee Schedule to include fees for WU Code Transect Districts.

VPC DISCUSSION:

Sofia Mastikhina, staff, provided an overview of the proposed text amendment, which would expand the applicability of the Walkable Urban (WU) Code citywide. She explained that currently, only properties along the light rail corridors are eligible to request this form-based zoning district, and that the proposal would allow for properties that are not along the light rail to request WU Code zoning. She outlined the proposed changes to the Zoning Ordinance and noted that the text amendment initiation language includes reference to changing minimum acreage requirements for charter schools – this will not be addressed in this text amendment.

PUBLIC COMMENT

Dan Penton asked if staff can provide a workshop to committee and community members to provide a more in-depth explanation of the WU Code, as it is not something that Laveen has dealt with before. He asked if this text amendment would make it applicable to Laveen. **Mastikhina** replied yes, a workshop can be arranged, and explained that, if this text amendment is approved, the WU Code zoning would be applicable citywide. However, it does not automatically change individual properties' zoning designations. A property owner would still need to go through the regular rezoning process to request WU Code zoning, just like any other zoning district.

Cory Kinkaid, with the Urban Phoenix Project, explained the goal of his organization, which is to help Phoenix become a city where walking, biking, and transit are comfortable and convenient options. He expressed support for the text amendment, stating that it would greatly improve walkability throughout the city.

COMMITTEE QUESTIONS

Robert Branscomb asked staff to explain the committee that reviews WU Code applications, and if they provide a recommendation to the City Council on these types of developments. **Mastikhina** replied that there is one committee, the Design Review

Committee, which reviews and approves applications for design alternatives that deviate from the standards set forth in the WU Code. They review to ensure that the intent of creating a walkable urban fabric is upheld via proposed design alternatives. They are also a quasi-judicial hearing body, much like the Zoning Adjustment Hearing Officer, and their decision is final. If appealed, the case will ultimately go to the Arizona Supreme Court.

Chair Tonya Glass expressed her support for the proposal and asked if there will also be development of corridor plans to aid in achieving the architectural aesthetic that the community wants for Laveen. **Mastikhina** replied that this is a great idea, and that subsequent plans and policies following the adoption of this text amendment, as they relate to the appropriateness of a form-based code depending on individual village character, is something that staff may pursue.

Village Planning Committee Meeting Summary
Z-TA-3-19
INFORMATION ONLY

Date of VPC Meeting	July 14, 2021
Request	Amend Chapters 3, 5 and 13 of the Phoenix Zoning Ordinance to expand the Walkable Urban (WU) Code boundaries citywide and amend Appendix A - Zoning Fee Schedule to include fees for WU Code Transect Districts.

VPC DISCUSSION:

Sarah Stockham, staff, reviewed the Walkable Urban Code history, Housing Phoenix Plan goals, growing number of TOD areas, pedestrian-oriented design, and no density limitations part of Walkable Urban (WU) code transects. Ms. Stockham added that the WU code is a form-based code that places a greater emphasis on design and providing a greater diversity of housing options, the WU code prioritizes walkability, pedestrian infrastructure and shade and showed examples of various frontage types. Ms. Stockham clarified what the proposed text amendment does and does not accomplish and described the various sections of the code which are proposed to be amended pertaining to the removal of geographic restrictions, clarification of policy plans, design review criteria, single-family attached related changes, shading requirements, clarify relationship between WU code and other code sections, clarification on building frontage types plus standards, clarification of open space requirements, and amending Appendix A related to fee schedules. Ms. Stockham concluded that this text amendment does not propose minimum acreage limitations for charter schools at this time, and a timeline of the text amendment case was provided.

Sandra Oviedo asked how they could bring the Walkable Urban Code projects to Maryvale, what is the incentive to rezone to the Walkable Urban Code and if this will require the installation of bike lanes. **Ms. Stockham** replied that this text amendment does not rezone any property outright, but it allows property owners the option to rezone to the Walkable Urban Code citywide, the installation of bike lanes for a project is done with the collaboration of the Street Transportation Department and one of the incentives is the no limit on density for Walkable Urban Code projects.

Chair Gene Derie clarified that this text amendment would allow the Walkable Urban Code as an option for rezoning requests.

Mike Weber shared that he had observed many stucco-covered communities near light rail which do not appear to be architecturally-design focused and while there are bicycle lanes in the Valley they are rarely used because street conditions are unsafe.



Village Planning Committee Meeting Summary Z-TA-3-19

Date of VPC Meeting	August 12, 2021
Request	Presentation and discussion on a request to amend Chapters 3, 5 and 13 of the Phoenix Zoning Ordinance to expand the Walkable Urban (WU) Code boundaries citywide and amend Appendix A - Zoning Fee Schedule to include fees for WU Code Transect Districts.

VPC DISCUSSION:

Julianna Pierre stated that the intent of Z-TA-3-19 is to allow the Walkable Urban (WU) Code to be applied to properties citywide. She stated that this will allow property owners along future light rail extensions, within Transit Oriented Development (TOD) policy plan areas, and other appropriate areas of the City to request rezoning to rezone to WU Code. She provided a brief history of the creation of Chapter 13 of the Zoning Ordinance regarding WU Code. She explained the existing WU code boundaries and transects.

Julianna Pierre explained that Z-TA-3-19 will support the goals of the Housing Phoenix Plan and prevent the need for future amendments to continue adding references to newly approved TOD policy plans. She stated that the text amendment will remove geographic restrictions on WU Code, allow property owners to apply to rezone to WU Code, and update standards regarding single family attached residential development outside TOD districts. She clarified that the text amendment will not automatically rezone any property or modify the rezoning process. She also provided a summary of the proposed changes to the Zoning Ordinance.

Julianna Pierre discussed that amendments to Appendix A, the fee schedule, will establish the administrative fees for requests to rezone to WU code, but will not change any non-WU Code fees.



Village Planning Committee Meeting Summary

Z-TA-3-19

INFORMATION ONLY

Date of VPC Meeting

July 21, 2021

Request

Presentation and discussion on a request to amend Chapters 3, 5 and 13 of the Phoenix Zoning Ordinance to expand the Walkable Urban (WU) Code boundaries citywide and amend Appendix A - Zoning Fee Schedule to include fees for WU Code Transect Districts.

VPC DISCUSSION:

No speaker cards were received

STAFF PRESENTATION

Klimek, staff, provided an overview of the request that would allow the Walkable Urban Code (WU Code) to be utilized city-wide and will support the goals of the Housing Phoenix Plan and the Tree and Shade Master Plan. The WU Code emphasizes the form of development, is designed to be more flexible, to better accommodate a mix of uses, and to create a better built environment. When created, the WU Code was envisioned to apply only within approximately one-half mile of light rail and was therefore geographically restricted to only the areas planned through ReinventPHX. Since that time, the light rail has expanded and the newly served areas have not been able to use the WU Code. Additionally, there have been development proposals where the WU Code would have been the best tool in areas such as village cores and new light rail corridors. There have been several projects that have sought a Planned Unit Development which defers broadly to the WU Code so the application of the form-based code is not unprecedented outside of light rail corridors. The text amendment will return to the Village Planning at a future meeting for recommendation.

QUESTIONS FROM THE COMMITTEE

None.

PUBLIC COMMENTS

None.

STAFF RESPONSE

None.

FLOOR/PUBLIC DISCUSSION CLOSED: COMMITTEE DISCUSSION

Chair Krentz thanked Klimek for the presentation.

At this time, Veidmark and Herrera arrived bringing the quorum to 16 members (11 being required for a quorum).



Village Planning Committee Meeting Summary INFORMATION ONLY Z-TA-3-19

Date of VPC Meeting	July 12, 2021
Request	Amend Chapters 3, 5 and 13 of the Phoenix Zoning Ordinance to expand the Walkable Urban (WU) Code boundaries citywide and amend Appendix A - Zoning Fee Schedule to include fees for WU Code Transect Districts

VPC DISCUSSION & RECOMMENDED STIPULATIONS:

Mr. David Simmons, staff, provided an overview of the request to include background of how the WU Code came to fruition in the first place. He went over what this Text Amendment request would update to include the expansion on the WU Code boundaries, amendment of the zoning fee schedule, and minimum acreage limitations for Charter Schools. Mr. Simmons elaborated on why expanding the WU-Code boundaries would help the growth of the City of Phoenix. He shared that it would support the Housing Phoenix Plan, it would promote pedestrian oriented design and set no limit on dwelling unit density. Further, Mr. Simmons shared that the Kierland area has largely redeveloped through PUD rezoning requests, which utilize WU-Code standards in the PUD narratives. Mr. Simmons also went over WU-Code design standards, which focus on design rather than land use, a form based code. Mr. Simmons shared the hearing schedule with the committee, stating that this will come back in front of them for recommendation in the near term.

VPC Response:

No discussion

STAFF COMMENTS REGARDING VPC RECOMMENDATION & STIPULATIONS:

None.

Village Planning Committee Meeting Summary
Z-TA-3-19
INFORMATION ONLY

Date of VPC Meeting	July 13, 2021
Request	Presentation and discussion on a request to amend Chapters 3, 5 and 13 of the Phoenix Zoning Ordinance to expand the Walkable Urban (WU) Code boundaries citywide and amend Appendix A - Zoning Fee Schedule to include fees for WU Code Transect Districts.

VPC DISCUSSION:

Committee member Scott Lawrence arrived to the meeting during this item, bringing the quorum to 5 members.

Julianna Pierre stated that the intent of Z-TA-3-19 is to allow the Walkable Urban (WU) Code to be applied to properties citywide. She stated that this will allow property owners along future light rail extensions, within Transit Oriented Development (TOD) policy plan areas, and other appropriate areas of the City to request rezoning to rezone to WU Code. She provided a brief history of the creation of Chapter 13 of the Zoning Ordinance regarding WU Code. She explained the existing WU code boundaries and transects.

Julianna Pierre explained that Z-TA-3-19 will support the goals of the Housing Phoenix Plan and prevent the need for future amendments to continue adding references to newly approved TOD policy plans. She stated that the text amendment will remove geographic restrictions on WU Code, allow property owners to apply to rezoned to WU Code, and update standards regarding single family attached residential development outside TOD districts. She clarified that the text amendment will not automatically rezone any property or modify the rezoning process. She also provided a summary of the proposed changes to the Zoning Ordinance.

Julianna Pierre discussed that amendments to Appendix A, the fee schedule, will establish the administrative fees for requests to rezone to WU code, but will not change any non-WU Code fees.

Chair Massimo Sommacampagna asked how developers would know what transect to apply for. **Julianna Pierre** explained that since the process to rezone to WU Code would be the same as any other rezoning, applicants and

developers would receive feedback from staff about the appropriateness of requests during the Rezoning Pre-Application meeting. She added that there will be public and Committee member input during the rezoning process, as with any other rezoning case.

Chair Massimo Sommacampagna asked for clarification regarding the expansion of the WU Code and the rezoning process. **Julianna Pierre** explained that the expansion would not automatically rezone any properties. She stated that WU Code rezoning cases would be handled on a case by case basis. She added that location, existing density, and existing infrastructure could all be factors that influence appropriateness of a request.

Village Planning Committee Meeting Summary

Z-TA-3-19

INFORMATION ONLY

Date of VPC Meeting	July 13, 2021
Request	Presentation and discussion on a request to amend Chapters 3, 5 and 13 of the Phoenix Zoning Ordinance to expand the Walkable Urban (WU) Code boundaries citywide and amend Appendix A - Zoning Fee Schedule to include fees for WU Code Transect Districts.

VPC DISCUSSION & RECOMMENDED STIPULATIONS:

One member of the public registered to speak on this item.

Enrique Bojórquez, staff, introduced himself and provided an informational presentation regarding case Z-TA-3-19. The need for this text amendment arises from the Housing Phoenix Plan goals, growing number of TOD areas, pedestrian-oriented design, and no density limitations part of Walkable Urban (WU) code transects. The WU code is a form-based code that places a greater emphasis on design and providing a greater diversity of housing options. The WU code prioritizes walkability, pedestrian infrastructure and shade plus thermal comfort. Examples of various frontage types, walkability, pedestrian infrastructure and shade were provided. Clarification on what the proposed text amendment does and does not accomplish were provided. A description the various sections of the code which are proposed to be amended were provided pertaining to removal of geographic restrictions, clarification of policy plans, design review criteria, single-family attached related changes, shading requirements, clarify relationship between WU code and other code sections, clarification on building frontage types plus standards, clarification of open space requirements, and amending Appendix A related to fee schedules. This text amendment does not propose minimum acreage limitations for charter schools at this time, and a timeline of the text amendment case was provided.

Gene Holmerud asked if this text amendment is going to be presented to all the Village Planning Committees (VPC's).

Mr. Bojórquez responded that this text amendment case is to be presented to all the VPC's in the next few weeks.

Marcia Busching stated that expanding the Walkable Urban (WU) code is good, but she is concerned with allow it citywide. WU code should be limited along arterial streets.

Trent Marchuk asked if the regulations in the Overlay Districts would prevail over WU code.

Mr. Bojórquez stated that his understanding is that regulatory Overlay Districts would prevail over WU code zoning.

Joseph Larios asked on the input from the other VPC's regarding this text amendment case.

Mr. Bojórquez responded that this is just the second night where the text amendment is presented to a VPC.

Shelly Smith asked how the city will address existing infrastructure and can the city require existing properties to conform to new requirements.

Gene Holmerud discussed the concept of grandfathered entitlements and difficulty with requiring new improvements unless safety is at risk.

Chairwoman Daniels asked if there is a city department or budget set aside to build new sidewalks or rehabilitate existing ones in parts of the city.

Mr. Bojórquez stated that he is not directly involved in related efforts but imagines that once a project is approved by the city, it is very difficult to require additional improvements to a specific property once this has been okayed to operate. He is not knowledgeable on the specific budget items within the overall city budget, but imagines there is funding for maintenance or repair of infrastructure, including sidewalks.

Lee Coleman stated that new sidewalks are being installed in his neighborhood, and it is difficult to require additional improvements after the city approves a project.

Mr. Marchuk asked about the 5-percent open space requirement and if new parks would be developed throughout the city to accommodate for new residents.

Mr. Bojórquez responded that the 5-percent open space requirement is the same as currently required for multifamily uses in conventional zoning districts. He added that the Parks and Recreation Department has identified proposed park sites in a city wide plan.

Fatima Said asked if there is an incentive to developers to use WU code zoning and stated that the Chicanos Por La Causa rezoning PUD case should be considered as this project is displacing residents.

Mr. Bojórquez responded that WU code zoning does not have a density cap and requires enhanced street frontages that will help improve a project.

Greg Brownell stated that there is no real incentive for developers and does not foresee new park sites being built in the future.

Chairwoman Daniels likes WU code due to potential economic development opportunities and could see new projects being built along the Rio Salado and between 7th Avenue to 7th Street. She agrees that no new park sites will likely be built in the South Mountain Village.

Bramley Paulin, member of the public, introduced himself and discussed two questions that he had regarding this text amendment case:

- Are there any land uses allowed today that would be considered legally non-conforming if this text amendment is approved?
- Will the rezoning process to seek WU code allow for public input?

Chairwoman Daniels thanked Mr. Paulin and asked staff for clarification on the questions.

Mr. Bojórquez responded that this text amendment case does not affect individual properties, only properties that would be seeking rezoning in the future. He also mentioned that public input will remain part of the rezoning process, including for WU code zoning.

STAFF COMMENTS REGARDING VPC RECOMMENDATION & STIPULATIONS:

On July 23, 2021 staff sent an email to all member of the South Mountain Village Planning Committee correcting the statement made during the July 13, 2021 meeting regarding Overlay Districts superseding the Walkable Urban (WU) code zoning. Staff clarified that the WU code zoning will supersede regulatory Overlay Districts which are present on any specific property in regards to applicable development standards.