

ATTACHMENT B



City of Phoenix

PLANNING AND DEVELOPMENT DEPARTMENT

ADDENDUM B

Staff Report: Z-TA-10-13 Zoning Ordinance Text Amendment January 3, 2018

Application No Z-TA-10-13: A request to amend Chapter 12 Downtown Code of the Zoning Ordinance to address revisions to and elimination of conflicts, clean-up clerical issues, and to add new provisions.

Staff Recommendation: Staff recommends approval of Z-TA-10-13 as shown in the proposed text in Exhibit A.

Purpose and Summary

The intent of the text amendment is to revise Chapter 12 (Downtown Code) of the Phoenix Zoning Ordinance to address several improvements to the code, including removal of redundant text, reorganization or relocation of items into appropriate sections, clarification of terminology; to update the code to add new land use provisions, add new frontage types to match those of the Walkable Urban (WU) Code, and to add flexibility language for public utility conflicts. The proposed language to be modified is contained in Exhibit A.

Background

The Downtown Form-Based Code went into effect on April 3, 2010. Since the effective date, and with the increase in development in downtown, staff identified a number of corrections that need to be made in order to address oversights, improve clarity, and provide consistency with other sections within the Phoenix Zoning Ordinance.

Reason for Addendum

The Downtown, Aviation, Economy, and Innovation (DAEI) Subcommittee heard the item on Dec. 6, 2017 and approved, by a 4-0 vote, per the memo dated Dec. 6, 2017 with the following modifications to Section 1204.C.28, which address public utility buildings and facilities:

- Add language to require notification and a meeting with registered neighborhood associations to discuss creative uses that would surround the public utility pursuant to 28.B.2 language.
- Add two categories created in 28.B.2 language that would require an applicant to meet a minimum one of the large scale installations and a minimum of two of the small scale installations.
- Reach out to community stakeholders and development community to ensure they review prior to the City Council meeting.

Proposed Changes

Following the DAEI subcommittee meeting, staff conducted additional outreach and discussion with community stakeholders and utility representatives. With input from these discussions, staff is proposing that the following changes be made to Section 28 of the Downtown Code language:

28. PUBLIC UTILITY BUILDINGS AND FACILITIES SHALL BE FULLY SCREENED AND SUBJECT TO THE FOLLOWING:
- 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.
 - B. 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.
 - C. THE USE CANNOT BE LOCATED ON A TRANSIT STREET OR ADJOINING HANCE PARK, OR ONLY SEPARATED BY A STREET FROM HANCE PARK, UNLESS THE MIXED USE OPPORTUNITY OUTLINED IN SECTION 28.A (ABOVE) IS SATISFIED.
 - D. FOR THE REQUIRED 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:

- (I) RECREATIONAL AMENITIES SUCH AS BUT NOT LIMITED TO A SINGLE BASKETBALL HOOP, SWING, AND/OR CLIMBING EQUIPMENT.
- (II) LANDSCAPE AREAS DESIGNED TO CREATE OUTDOOR ROOMS OR USEFUL SPACES, WHICH MAY INCLUDE EXTENSIVE HARDSCAPE, DECORATIVE PAVING AND/OR ARTIFICIAL TURF.
- (III) SHADE TREES OR SHADE STRUCTURES.
- (IV) LIGHTING AND SEATING DESIGNED TO DISCOURAGE CAMPING.

IN ADDITION, A MINIMUM OF ONE OF THE FOLLOWING MORE SIGNIFIGANT SCALE INSTALLATIONS:

- (V) A LOCAL PUBLIC ART COMPONENT AND/OR WALL DISPLAYS FOR LOCAL PUBLIC ARTS ORGANIZATIONS.
- (VI) AN EDUCATIONAL COMPONENT THAT DESCRIBES THE HISTORY OR SETTING.
- (VII) FACILITIES FOR POP-UP RETAIL, RESTAURANT, FARMER'S MARKETS, AND/OR PUBLIC EVENTS, WHICH MAY INCLUDE PROGRAMMING THAT CHANGES SEASONALLY, IF PERMITTED IN THE CHARACTER AREA.
- (VIII) FACILITIES FOR PETS, WHICH MAY INCLUDE WATER SOURCES, ENCLOSURES FOR OFF-LEASH ACTIVITY, AND STATIONS FOR PET WASHING.

- E. WHEN CONSIDERING AN ALTERNATIVE FRONTAGE PROPOSAL IN ACCORDANCE WITH 28.D (ABOVE), THE DRC IS AUTHORIZED TO MODIFY PRESCRIBED STANDARDS OF THIS CHAPTER WITHOUT BEING SUBJECT TO THE RESTRICTIONS OF SECTION 1224.A.1.

Regarding Section 28.D.1, this submittal will be initially reviewed by the Planning and Development Department staff to ensure that the frontage types, character area intent, and streetscape standards are met. Following this review, staff will provide a recommendation and the DRC will ultimately determine compliance. Regarding Section 28.D.2 and Section 28.D.3, these items will go directly to the DRC for review and approval.

In addition, staff has included a change to Downtown Code language in Section 1205.B.1. The following changes provides additional clarity for applicants as to the Downtown Code Section that guides the Design Review Committee process:

B. BUILDING FAÇADE GENERAL STANDARDS.

1. ~~PLANNING AND DEVELOPMENT DEPARTMENT STAFF~~ THE DESIGN REVIEW COMMITTEE (DRC) MAY ~~CONSIDER~~ APPROVE A FRONTAGE DESIGN ALTERNATIVE WHEN THE DESIGN MEETS THE INTENT OF PEDESTRIAN AND TRANSIT-ORIENTED FRONTAGES AND FAÇADES. ~~APPEALS BEYOND STAFF LEVEL~~ SUCH REQUESTS MAY BE FILED BY APPLICANTS FOR CONSIDERATION BY ~~TO~~ THE DESIGN REVIEW COMMITTEE PER SECTION 1224.

Exhibits

A: Proposed Downtown Code Language