



## Planning and Development Services Section

# MEMORANDUM

**TO:** Mayor and Council

**THROUGH:** Josh Copley, City Manager

**DISTRIBUTION:** Barbara Goodrich, Deputy City Manager; Mark Landsiedel, Community Development Director; Dan Folke, Planning Director

**FROM:** Roger E. Eastman, AICP, Comprehensive Planning and Code Administrator

**Date:** November 23, 2015

**RE:** Amendments to Zoning Code (Chapter 10-30, General to All)  
Response to Council Discussion at the November 10, 2015

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At the November 10<sup>th</sup> Council work session, Dan Folke answered questions from the Council on various sections of Chapter 10-30 (General to All). As I stated in an email to the Council dated November 13, 2015, a copy of which is attached, staff has reconsidered some of the language in the proposed amendments in response to the Council's questions and public comments made at that meeting. The attached document shows these latest amendments, all of which are highlighted so that they are more easily identified from the original amendments forwarded to the Council. Any changes in the narratives explaining the amendments are also highlighted.

An outline summary of the additional amendments follows:

- **Division 10-30.50 Public Improvements:** Includes changes throughout to more clearly address when public improvements are required to mitigate the impacts of new development.
- **Division 10-30.60 Site Planning Standards: Section 10-30.60.060 (Building Placement)** – Includes various changes to provide more clarity and flexibility with regard to standards requiring building forward design.
- **Division 10-30.60 Site Planning Standards: Section 10-30.60.070 (Parking Lots, Driveways, and Service Areas)** – Includes a revision that clarifies that driveways connecting to parking areas or service areas may not be located between the front of a building and the property line. However, an amendment proposed in Section 10-40.60.160 (Drive-through Retail and Service Facility) would allow a drive-through lane to be located between the front of a building and the property line.

Please let me know if you need any additional information, or if you have any questions.



## Roger Eastman

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**From:** Roger Eastman  
**Sent:** Friday, November 13, 2015 10:14 AM  
**To:** Jerry Nabours; Celia Barotz; Celia Barotz; Coral Evans; Coral Evans; Eva.Putzova@nau.edu; Scott Overton; Karla Brewster; Jeff Oravits; Josh Copley  
**Cc:** Mark Landsiedel; Barbara Goodrich; Daniel Folke; Rick Barrett; Michelle D'Andrea; Kevin Fincel; Roger Eastman  
**Subject:** Following up from November 10, 2015 Work Session on the Zoning Code

Good morning:

I truly apologize for bailing out of the work session at the last minute on Tuesday night. I have been dealing with a medical issue for a few weeks, and at about 7:00 pm it flared up again. While I was embarrassed to have to abandon my time with you, I needed to get home. Reggie provided me with a safe ride to Sedona for which I was very thankful. I'm equally thankful for Dan who did an excellent job stepping in for me to answer your questions on Chapter 10-30 of the Zoning Code. Yesterday morning I watched the streaming video of the meeting, and after discussing it with Dan, we agreed that an email to provide further clarification to your questions would be appropriate. I've arranged this response in the order these questions were raised rather than in the order they are placed in the Code.

### **10-30.60.060 Building Placement**

This Section is located within Division 10-30.60 (Site Planning Standards). Mr. Patrick Hurley and Ms. Tory Syracuse provided useful comments on this Section, and the Council's discussion based on those comments was most informative. I agree that more flexibility should be included in the Code to address the unique circumstances that staff and developers may have to deal with when new projects are proposed while still ensuring that a building's entrance should connect either directly to a street or to the side to a pedestrian connection to the parking area (note both are not required - it's one or the other).

I suggest that the best way to provide this flexibility is to include building placement in the Minor Modifications to Development Standards section of the Code (Section 10-20.40.090). This Section specifically allows for minor modifications of development standards (e.g. building height, fence height, minor setback waivers, etc.) to be granted administratively by staff within predefined limits. In this case Table 10-20.40.090.A (Types of Minor Modifications Allowed) would be expanded by adding a new row for building placement and inserting criteria (such as those suggested by Mr. Hurley) to allow some flexibility when unusual circumstances are present. Those proposed by Mr. Hurley were topography, the needs of the business (e.g. security), natural resources, relationship to adjacent buildings, whether the buildings would create a shadow on a road or sidewalk causing a safety concern from snow and ice accumulation, and from where the majority of customers to the business would come. Staff will develop these ideas into a proposal to present to Council at a future work session.

### **10-30.60.050 Compatibility**

This Section is located within Division 10-30.60 (Site Planning Standards). The new amendments in this Section are only in the introductory paragraph on Page 30-12 of the amendment packet. The standards used to assist staff and an applicant assess the compatibility of a new project are already included in the Zoning Code and are proposed to be moved from their current location to Division 10-30.60 (Site Planning Standards) where they are more appropriately located. The intent of the new paragraph at the beginning of this Section is to clarify that compatibility between a new project and existing development is important, and that the standards would be applied when a CUP or zone change is requested. As the Council discussed with Dan, the findings for reviewing a zone change are very broad (consistency with the Regional Plan; not detrimental to public health, safety or welfare; and the suitability of the site so that the new development does not endanger, jeopardize or

create a hazard). The findings for a CUP are also broad - but not as much as for a zone change - and they too seek to ensure that public health, safety and welfare is assured (See ZC Page 20.40-8) while also generally addressing compatibility. The standards in 10-30.60.050 (Compatibility) provide a further level of refinement and detail to assist staff, the P&Z, and Council in their review of a project to ensure that when a CUP or zone change is requested, the new development is appropriate and compatible with surrounding development.

#### **10-30.50.060 Minimum Requirements**

This Section is located within Division 10-30.50 (Public Improvements). Paragraph A (Right-of-Way) which was moved from City Code Title 8 (Public Ways) to the zoning code with the 2011 Code update allows the City Engineer to require right-of-way (ROW) to be dedicated to the City when (1) the property to be developed does not have adequate ROW due to the new development, or (2) to accommodate proposed or contemplated public improvements under the Regional Plan or other approved land use documents (e.g. a specific plan, the RTP, etc). What is not stated explicitly in this Section is that in the first scenario the ROW dedication to the City should be proportional to the impacts caused by the new development, and in the second scenario, the City may have to provide compensation for the ROW dedicated for the public improvements if there is no proportional impact caused by the new development. I will discuss this further with Rick Barrett (City Engineer) and Michelle D'Andrea (City Attorney), and based on the outcome of that discussion may provide the Council with additional clarifying language for your consideration.

#### **10-30.60.070 Parking Lots, Driveways, and Service Areas**

This Section is located within Division 10-30.60 (Site Planning Standards). Citing the driveway from South Fourth Street into the Aquaplex as an example, Councilor Oravitz had a question on the standard for the width of driveways as he thought (at least in this situation) the driveway was too narrow for the size of vehicle/truck typically operated in the City. As Dan mentioned, these standards are not included in the Zoning Code, and instead are located within the Engineering Standards. I will forward Councilor Oravitz's concern to Rick Barrett for his consideration as his team is currently working on the annual update to the Engineering Standards.

#### **A Final Comment - Chapter 10-40 (Specific to Zones)**

In the special work session on October 19th a number of residents provided comments to the Council on staff's proposed amendment that would allow single-family residences and duplexes to be permitted by right in the CC (Community Commercial) Zone. This zone is, for example, applied to the southern portion of the Sunnyside neighborhood, i.e. south of 6th Street. On November 8th Council received an email from Jeff Knorr, a local contractor, in which he provided further comments on this issue. I called and spoke to Jeff on Tuesday afternoon and was able to answer his questions and provide further clarification on the amendments. As a result of this discussion it was apparent that the amendments could be further clarified as they were confusing. Staff has drafted this clarifying language and will present it to Council when the discussion on Chapter 10-40 continues in the future.

Please let me know if you have any questions.

Thanks

roger

Sent from my iPad

Roger E. Eastman, AICP

Comprehensive Planning and Code Administrator

City of Flagstaff

*The density bonus calculation used as an example here is incorrect – the allowed density bonus from Table 10-30.20.050.A. for 12% affordable units results in a 22% density bonus, not 11% as stated in the example.*

## **Division 10-30.30: Heritage Preservation**

*The amendments in this Division are included in a separate document.*

## **Division 10-30.50: Public Improvements**

### **10-30.50.010 Purpose**

- Page 30.50-1

It is the intent and purpose of this Section to set forth the minimum acceptable standards for public improvements **that are required to mitigate the impacts of new development as determined by an appropriate impact study (see Section 10-30.50.060);** to define the responsibility of the applicant in planning, constructing and financing public improvements; and to set forth the City's responsibilities in the review and acceptance of public improvements.

***This minor amendment provides an important clarifying cross reference when public improvements are required to mitigate the impacts of new development.***

### **10-30.50.020 Responsibilities**

- Page 30.50-1

*This responsibilities Section has been divided into two parts – responsibilities associated with all subdivisions, and responsibilities associated with all other development.*

#### **A. Responsibilities - All Single-family Residential Subdivisions**

- 1. It shall be the responsibility and duty of the applicant to plan, construct and finance all public improvements associated with and required to mitigate the impacts of the subdivision of land, unless a Development Agreement specifically provides otherwise.**
- 2. The applicant must have an engineer registered in the State of Arizona prepare a complete set of improvement plans for constructing required public improvements. Such plans shall be based on the approved preliminary plat, zoning case, and/or staff approved stipulations. The applicant must prepare these plans in conjunction with and in conformance to the subdivision plat.**
- 3. The Building Official may only accept a Building Permit application for review no less than 30 days after the final plat for the subdivision has been recorded subject to the provisions of City Code Section 11-20.70.030.G. When the Building Permit is ready to be issued, a condition of its approval shall state that construction activity authorized by the Building Permit may not commence until any uncompleted streets to be used by construction or residential traffic satisfy the requirements of Section 13-10-013-0001 (Use of Uncompleted Streets within a Subdivision) in the Engineering Standards. Such Building Permit application shall be submitted at the applicant's risk, and the City will not be responsible for delays in the issuance of the permit or increases in applicable fees including, but**

not limited to, changes required to the submitted plans as a result of Building Code amendments that may be in effect.

*This amendment allows a building permit to be accepted 30 working days after the final plat for a subdivision has been recorded. The 30 day time period is based on the time needed for parcels numbers to be released from the County and entered into the City's permit tracking software and GIS. It requires a condition of approval of the permit stating that construction may only commence once compliance with Section 13-10-013-0001 of the Engineering Standards has been achieved. Staff acknowledges this is unusually early in the process of constructing a subdivision, (most cities only accept building permits after a subdivision has been completed and accepted), yet it provides an opportunity for home builders to submit their plans for review so that they can be ready for issuance and construction started in a more timely manner than if they waited for the subdivision to be completed and accepted. It is staff's experience that this is particularly important in Flagstaff because of the short construction season that is typical here.*

4. The applicant shall be responsible for ensuring that all public improvements are constructed in compliance with applicable federal, state, county, and City requirements. All public improvements must be completed and formally accepted by the agencies from which construction permits were issued before the City will issue a conditional or final Certificate of Occupancy for any building or structure within the subdivision.

*This is a new paragraph that clarifies that the applicant is responsible for ensuring that all agencies sign off before a certificate of occupancy may be issued.*

5. The applicant may meet the requirements of this Division by participating in a City-approved improvement district.

## **B. Responsibilities - All Other Development**

1. It shall be the responsibility and duty of the applicant to plan, construct and finance all public improvements associated with and required to mitigate the impacts of new subdivisions and land development, including commercial subdivisions and all developments subject to Site Plan Review and Approval (see Section 10-20.40.140), unless a Development Agreement specifically provides otherwise.

~~2. These public improvements must be completed and formally accepted before the City will issue a certificate of occupancy for any building or structure within the subdivision or on the property.~~ The Building Official may issue a Building Permit in accordance with the requirements of Section 10-20.40.030 (Building Permits and Certificates of Occupancy) when;

- a. The required Engineering Design Report and/or construction plans for public improvements have been conditionally approved by the City Engineer and found to be in substantial compliance with City standards and specifications; and

b. An assurance has been provided pursuant to Division 10-20.100 (Assurance of Performance for Construction).

*This language in paragraph 2 comes from former Ord. 1925 (Section 8-08-001-0011 (Building Permits)) that was repealed in 2011 with the addition of the cross-reference to Section 10-20.40.030 (Building Permits and Certificates of Occupancy).*

3. The applicant must have an engineer who is registered in the State of Arizona prepare a complete set of improvement plans for constructing required public improvements. Such plans ~~must~~shall be based on the approved preliminary plat (if applicable), zoning case, site plan, and/or staff approved ~~and~~ stipulations. The applicant must prepare these plans in conjunction with and in conformance ~~to with the subdivision plat~~ an approved site plan. ~~Improvement plans shall be subject to City approval prior to recordation of the subdivision plat.~~

*The last sentence in the paragraph above has been deleted as this requirement is already included in the Subdivision Regulations, Section 11-20.70.030.G regarding Final Plat Approval.*

4. All public improvements must be completed and formally accepted by the agencies from which construction permits were issued before the City will issue a certificate of occupancy for any building or structure on the property. A Conditional Certificate of Occupancy may be issued if the Building Official and City Engineer determine that no life safety concerns are present.

*This paragraph describes long-standing practice originally included in Ord. 1925 to confirm that a certificate of occupancy is only issued after public improvements have been formally accepted.*

5. The applicant may meet the requirements of this Division by participating in a City approved improvement district.

#### 10-30.50.030 Public Improvements Defined

- Page 30.50-1

Public improvements mean any right-of-way, easement, access right or physical improvement that is required to mitigate the impacts of new development, as determined by an appropriate impact study, and which, upon formal acceptance by the City, becomes the responsibility of the City for ownership, maintenance and repair, unless provided by others including the maintenance of sidewalks and certain landscaping (See City Code Chapter 8-01). Such public improvements may include, but are not limited to, roadways and alley sections including pavement, base course, street lights, curbs and gutters, sidewalks or urban trails and FUTS trails, traffic control improvements, right-of-way landscaping and irrigation systems, drainage facilities, fire hydrants and utilities, including water, sewer, gas, electric power, telephone, and cable television, and all other improvements, which upon completion, are intended to be for the use and enjoyment of the public.

*This minor amendment provides an important clarifying cross reference when public improvements are required to mitigate the impacts of new development.*

## 10-30.50.040 Public Improvement Agreement

- Page 30.50-2

~~If, pursuant to Section 10-30.50.020 (Responsibilities), above, the applicant's subdivision, zoning change or development, either new development on existing, vacant or undeveloped property or an addition or expansion to existing developed property, creates the need for the dedication, acquisition, installation, construction or reconstruction of public improvements, then, after such determination has been made, the applicant shall enter into a public improvement agreement prior to the City's approval and/or issuance of the preliminary plat, site plan or Building Permit. The public improvement agreement shall be in a form approved by the City and shall provide for the dedication and/or construction of necessary public improvements by the applicant. If appropriate, the terms of the public improvement agreement may be incorporated into a City approved development agreement. The public improvements agreement may, if approved by the City Engineer, provide that the installation, construction or reconstruction of public improvements shall be in specified phases. If construction in phases is approved, the provisions of this Division shall apply to each phase as if it were a separate and distinct public improvements agreement. Any such phase shall be an integrated, self-contained development consisting of all public improvements necessary to serve the property to be developed as part of said phase.~~

*The City Engineer and City Attorney's office recommends that this section be deleted as it is not needed because there are other mechanisms currently in place in the Engineering Standards as part of the review process for public improvements that made this requirement redundant. This was discussed with the Council some months ago. Note that all following sections in this Division will need to be renumbered and all cross-references checked.*

## 10-30.50.0450 Exemptions

- Page 30.50-2

The following ~~exceptions~~ are exempt from all the requirements of this Division: ~~except for the installation, construction or reconstruction of water and sewer line extensions, drainage improvements, and street and traffic control related improvements.~~

- A. An expansion or alteration of an existing nonresidential or multi-family residential use that results in a 25 percent or less increase in the intensity of the use in terms of additional dwelling units, gross floor area, seating capacity or parking spaces, either with a single or cumulative addition(s) or expansion(s); ~~or;~~
- B. An expansion or alteration of an existing nonresidential or multi-family residential use that results in a change of ~~less than~~ 50 percent or less of the actual value of the structure prior to the start of construction as determined from the records of the Coconino County Assessor or by a current appraisal by an appraiser licensed by the State of Arizona; ~~or;~~
- C. Construction of or alteration to a single-family detached residence or a duplex residence of any value ~~or an addition or alteration to an existing single-family residence or existing duplex residence, sized in accordance with the minimum requirements provided in the Engineering Standards.~~

*The qualifying clause in the opening sentence of this Section is unnecessary and has been deleted. As this Section does not apply to single-family residences, the term "multi-family residential" has been added throughout as a clarification.*

*The reference in Subsection C. is unnecessary, and has been deleted.*

#### 10-30.50.05~~60~~ Impact Analysis Required

- Page 30.50-3

A. Pursuant to [Chapter 13-05 \(Engineering Design Reports\)](#) of the *Engineering Standards* and the *Stormwater Regulations*, the City Engineer and Stormwater Manager shall require the applicant to furnish impact studies to assess the impact of new development on the City's existing streets, public utilities and drainage infrastructure. The Utility Director shall assess the impact of new development on the City's utility infrastructure.

*These amendments are necessary as the standards for a stormwater impact analysis are established in the City's Stormwater Regulations which are administered by the Stormwater Manager.*

B. When an impact study identifies impacts to the City's public infrastructure that are attributable to the proposed development, impact mitigation is required. The design and construction of improvements to mitigate the identified impacts shall be constructed by the applicant.

C. [Impact analyses shall be valid for the period of time as defined in the Engineering Standards and the Stormwater Regulations.](#)

*This amendment provides a cross-reference to the Engineering Standards and Stormwater Regulations for when an impact analysis is no longer valid.*

D. The requirements of this Subsection may be waived with the consent of both the City and the applicant.

#### 10-30.50.06~~70~~ Minimum Requirements

- Page 30.50-3

The public improvements required pursuant to this Division shall have a rational nexus with, and shall be roughly proportionate to, the impact(s) created by the subdivision or land development as determined by the studies described in Section 10-30.50.060 (Impact Analysis Required), above. The presumptive minimum requirements ~~that are required~~ for public improvements [as described in Section 10-30.50.030 \(Public Improvements Defined\)](#) are:

A. **Right-of-Way**

1. If, as determined by the City Engineer, the property to be developed does not have adequate rights-of-way due to the new development, or will not accommodate ~~the proposed or contemplated~~ public improvements ~~that are required to mitigate the impacts of the new development~~, then necessary right-of-way ~~shall~~must be ~~dedicated~~granted to the City.

2. The City Engineer may impose special requirements, such as imposing additional setbacks, to assure future right-of-way needs as may be contemplated under the existing General Plan or other approved land use documents.

a. In the event that the granting of right-of-way or drainage way creates a nonconforming lot due to the decrease in land, the remainder ~~ing portion~~ will~~shall~~ be considered a legal nonconforming lot.

~~a.b.~~ When it is necessary for a development to improve a street and, ~~after application of the requirements of Section 10-30.50.040.B,~~ sufficient right-of-way is not available from other area property owners not subject to the provisions of this Division, the Director, with the approval of the Council, may pursue all legally permissible steps in order to obtain the property necessary for the right-of-way, provided there is a demonstrated public need for the additional right-of-way. All costs associated with the dedication of such right-of-way, including all legal fees, shall be the responsibility of the applicant.

*The amendments in Subsection A.1 provide an important clarifying cross reference when public improvements are required to mitigate the impacts of new development. Further, the standards in Subsection A have been divided into two new paragraphs to make a distinction between (1) required dedication as a result of impacts created by a new development and (2) dedication necessary because of right-of-way needs contemplated in the General Plan or a similar document. The cross reference deleted in Paragraph 2.b is incorrect, and is not needed. The City Attorney and the City Engineer, consistent with long-standing City practice, recommend that a statement be included to confirm that all costs, including legal fees, associated with right-of-way dedication should be the responsibility of the applicant rather than the City.*

### 10-30.60.060 Building Placement

Building placement on a development site is important because it establishes the form and pattern for the development along a street which in turn affects the human-scale of a site layout, its economic vitality, and how well the site functions with the connections between buildings, parking areas, and adjacent development.

A. Building-forward design solutions that ensure the building front is located at or near the sidewalk edge are required. Display windows and other architectural features that provide interest to pedestrians shall also be incorporated into the design. See also Section 10-50.20.030 (Architectural Standards) with specific reference to the Location and Orientation of Building Entrances and Windows Subsections.

B. When buildings are located at or near a sidewalk edge, the following standards apply to allow flexibility with site layout:

1. Required building foundation landscaping (See Section 10-50.60.050 (Landscaping Standards)) is not required along a street frontage and only peripheral buffer landscaping is required;
2. Forest resource protection standards (See Section 10-50.90.060 (Forest)) may be reduced by 5 percent; and
3. When there is a requirement for both open space (See Section 10-40.30.030 (Residential Zones)) and civic space (See Section 10-30.60.060 (Open Spaces, Civic Spaces and Outdoor Public Spaces)) on a development site, the civic space will be counted towards the open space requirement.

**Figure A.** A good example of a building placed close to a public street with strong pedestrian connections between the sidewalk and building entrances.



A.C. The primary entrance to a building shall be located to face a street or be connected to a street through the design of a building entry zone. The primary entrance to a building may also face a plaza or pedestrian way. When it is not possible to locate the primary entrance to face the street, plaza, or pedestrian way, a secondary entrance should be designed to connect to these public spaces.

[Add illustration from LDC, Chapter 16 – Middle of Page 54]

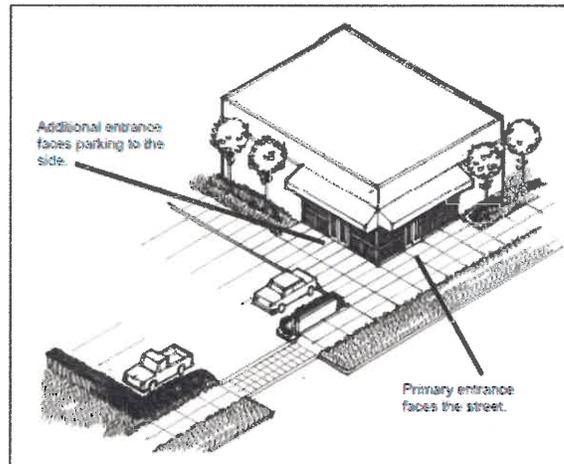


Figure B.

Update this illustration to make it clearer and to illustrate all concepts coded in the Section.

D. If it is not feasible to locate a building at the sidewalk edge (e.g. to accommodate a drive through lane), a screen wall designed to match the building materials of the primary building on the site or similar landscape feature is required. If the prevailing building placement of a block is characterized by building forward design, then the provisions of this Subsection shall not apply.

*This is a new section to this Division that incorporates design standards from the LDC that were inadvertently omitted from the new Zoning Code. Staff has consistently required building forward design through the application of Section 10-30.60.050 (Parking Lots, Driveways and Service Areas) – see below – in which parking areas are required to be behind or to the side of a building. Examples of some successful projects in recent years are included in an attachment to the staff summary for the December 1, 2015 work session. The former LDC standard requiring a building entrance to face a street has been modified to include the building entry zone, a concept introduced in 2014 into the Zoning Code with the amendments to Division 10-50.100 (Sign Standards).*

*Subsection B. has been inserted to provide additional standards that make it easier to place a building forward on a development site. Based on recent staff experience one of the issues is the need for reduced landscaping in such a situation and hence required building foundation along a street frontage is not required because otherwise an excess amount of landscape materials are needed. Further incentives include reductions in forest resources and the ability to overlap civic space with open space. These relaxed standards provide more flexibility to developers and make it easier to meet the intent of building forward design.*

*The amendment proposed in the second sentence of Subsection C. acknowledges that if the primary entrance to the building cannot face a street/sidewalk, then a secondary entrance should be designed to make this connection. This is also possible by applying the “building entry zone” concept so that signage can direct customers to the entrance to the building.*

*New Subsection D. provides a new standard that permits a building not to be placed close to a property line (such as when a drive-through lane needs to be accommodated), in which case a screen wall is required.*

Many of the former design standards have been consolidated and simplified, and the drawings from the LDC's design standards will be included in this Division to better illustrate these concepts.

**COUNCIL:** At the November 10<sup>th</sup> work session the Council directed a number of comments and questions to staff on the amendments proposed above in response to comments received at that work session from two members of the public. Staff has carefully reconsidered the amendments based on this feedback, the result of which is the changes highlighted and explained above. Note that no amendments are necessary in Section 10-20.40.090 (Minor Modifications to Development Standards) as suggested by staff in an email to Council dated November 13, 2015.

Note that an amendment is also proposed in Section 10-40.60.160 (Drive-through Retail or Service Facility) that would allow a drive through lane to be placed between the property line and the front of the building. The current Zoning Code prohibits this practice.

### 10-30.60.0750 Parking Lots, Driveways and Service Areas

- Page 30.60-9

#### A. Applicable to All Zones

3. To the maximum extent feasible, parking lots on a primary frontage shall be completely ~~or mostly~~ located to the side or behind a building rather than in front to reduce the visual impact of the parking lot.

This amendment more precisely and clearly defines the requirement for a parking area to be placed behind or to the side of a building on a primary frontage only consistent with staff's application of the former LDC. This means that on a secondary frontage this standard would not apply. This standard is directly related to the standard in new Section 10-30.60.060 (Building Placement) paragraph A regarding building forward design. Staff has analyzed a number of developments recently approved in the City and they would meet this standard, some with minor modifications to the site design. Insert a new illustration.

6. ~~Parking lots shall also meet the standards established in Section 10-50.80.080 (Parking Spaces, Lot Design and Layout).~~ Drive-through aisles and stacking areas shall meet the design standards established in Section 10-40.60.160 (Drive-through Retail or Service Facility).

The provision proposed to be deleted in this paragraph is already stated in Paragraph 1 of this Section, and is therefore, redundant. The new text in the proposed amendment provides a useful cross reference to the standards for drive-through aisles and stacking areas in Section 10-40.60.160 (Drive-through Retail).

7. Developments shall minimize the number of curb cuts onto a public street along a property edge by sharing driveways with an adjacent property to the maximum extent feasible.
8. Direct vehicular access via Rroads or driveways shall ~~be connect~~linked with the overall site circulation patterns with ~~of~~ adjacent parcels.

This minor amendment based on language in the former LDC's Design Guidelines reinforces the need for connections between adjoining parcels.

**9. Driveways that connect to parking areas or service areas shall not be located between the front of a building and the property line adjacent to the public right-of-way.**

*This amendment ensures that driveways (as well as parking areas – see #3 above) are not placed between a building and a public right-of-way. Refer also to the amendments proposed in Section 10-40.60.160 (Drive-through Retail or Service Facility) that would allow a drive-through lane to be located between the front of a building and the property line adjacent to a public right-of-way. Such driveways are currently prohibited in the current Zoning Code but are frequently necessary, for example, in the Trax development where site conditions would otherwise prohibit drive-through facilities.*

**109.** Service entrances, waste disposal areas, and other similar uses shall be oriented toward service lanes and away from major streets.

*Renumber all following paragraphs.*

**10-30.60.09~~60~~ Open Spaces, Civic Spaces, and Outdoor Public Spaces**

- Page 30.60-911

**B. Applicable to Non-Transect Zones**

**1. Civic or Public Space Requirement**

- c. Development sites that provide civic spaces are allowed the following:

- (1) A five percent reduction of on-site forest and/or slope resource protection standards as required by Division 10-50.80 (Resource Protection Standards) is permitted when on-site design conforms to the *Flagstaff Area Open Spaces and Greenways Plan* and public non-motorized pedestrian and bicycle access is included when applicable.

*This minor amendment clarifies that the resources reduction would also apply to a FUTS trail.*

Renumber the following sections:

**10-30.60.08~~70~~ Pedestrian and Bicycle Circulation System**

**10-30.60.09~~60~~ Open Spaces, Civic Spaces, and Outdoor Public Spaces**

**10-30.60.10~~70~~ Private Streets**

**Division 10-30.70: Residential Sustainable Building Standards**

**10-30.70.040 Minimum Standards**

- Page 30.70-3

**B. Transportation/ Air Quality**

2. The development is located within at least ¼ mile of a FUTS trail or connected to it.

*This minor amendment corrects the intent of this requirement, i.e. the development must be either within ¼ mile of a FUTS trail or is connected to the FUTS trail.*