

NOTICE AND AGENDA

ATTENTION

IN-PERSON AUDIENCES AT PLANNING & ZONING COMMISSION MEETINGS HAVE BEEN SUSPENDED UNTIL FURTHER NOTICE

The meetings will continue to be live streamed on the city's website
(<https://www.flagstaff.az.gov/1461/Streaming-City-Council-Meetings>)

To participate in the meeting click the following link:
[Join Microsoft Team Meeting](#)

The public can submit comments that will be read at the dais by a staff member to CDPandZCommission@flagstaffaz.gov

PLANNING & ZONING COMMISSION
WEDNESDAY
April 13, 2022

COUNCIL CHAMBERS
211 WEST ASPEN AVENUE
4:00 P.M.

1. Call to Order

2. Roll Call

NOTE: One or more Commission Members may be in attendance telephonically or by other technological means.

MARIE JONES, VICE-CHAIR
BOB HARRIS III
DR. RICARDO GUTHRIE
CAROLE MANDINO

DR. ALEX MARTINEZ
MARY NORTON
LLOYD PAUL

3. Public Comment

At this time, any member of the public may address the Commission on any subject within their jurisdiction that is not scheduled before the Commission on that day. Due to Open Meeting Laws, the Commission cannot discuss or act on items presented during this portion of the agenda. To address the Commission on an item that is on the agenda, please wait for the Chair to call for Public Comment at the time the item is heard.

4. APPROVAL OF MINUTES

Approval of the minutes from the meeting on Wednesday, March 23, 2022.

5. PUBLIC HEARING

- A. Case No. PZ-22-00045:** City's request for a Zoning Code Text Amendment to modify the notification requirements for Development Agreements.

STAFF RECOMMENDED ACTION:

Staff recommends the Planning and Zoning Commission, in accordance with the findings provided in the staff report, make a recommendation to the City Council for approval of the Zoning Code Text Amendment.

6. GENERAL BUSINESS

- A. Election of Chair and Vice-Chair, and volunteer to serve on the Open Space Commission.
(The Open Space Commission meets on the 4th Monday of the month from 4-6.)

7. **MISCELLANEOUS ITEMS TO/FROM COMMISSION MEMBERS**

8. **ADJOURNMENT**

CERTIFICATE OF POSTING OF NOTICE

The undersigned hereby certifies that a copy of the foregoing notice was duly posted at Flagstaff City Hall on 4/8/22,
at 2:00 p.m. This notice has been posted on the City's website and can be downloaded at www.flagstaff.az.gov.

Dated this 8 day of April, 2022.

Tammy Bishop, Administrative Specialist



Planning & Zoning Commission

5. A.

Meeting Date: 04/13/2022

From: Tiffany Antol, Senior Planner

Information

TITLE:

Case No. PZ-22-00045: City's request for a Zoning Code Text Amendment to modify the notification requirements for Development Agreements.

STAFF RECOMMENDED ACTION:

Staff recommends the Planning and Zoning Commission, in accordance with the findings provided in the staff report, make a recommendation to the City Council for approval of the Zoning Code Text Amendment.

Attachments

Staff Report

Application

Proposed Text Amendment

PLANNING AND DEVELOPMENT SERVICES REPORT

Zoning Code Text Amendment

PUBLIC HEARING

PZ-22-00045

DATE: March 21, 2022

MEETING DATE: April 13, 2022

REPORT BY: Tiffany Antol, AICP

REQUEST:

City's request for a Zoning Code Text Amendment to modify the notification requirements for Development Agreements.

STAFF RECOMMENDATION:

Staff recommends the Planning and Zoning Commission, in accordance with the findings presented in this report, make a recommendation to the City Council for approval of the Zoning Code Text Amendment.

I. Proposed Amendment:

The proposed amendment is to add notification requirements for Development Agreements including modifications to existing agreements. A development agreement is a legally binding contract between a property owner or developer and a local government, often including terms not otherwise required through existing regulations.

The proposed amendment includes the following:

10-20.40.060 Development Agreements

E. Notification Requirements.

- 1. Notice of a Development Agreement, including an amendment to an existing agreement. Prior to consideration of any action on a Development Agreement, notice of the City Council's public meeting shall be provided pursuant to the public hearing requirements of Section 10-20.30.080. Notice of Public Hearings.**

II. Zoning Code Text Amendment

The Planning Director shall provide a recommendation to the Planning and Zoning Commission for its review. The Director's recommendation shall be transmitted to the Planning and Zoning Commission in the form of a staff report prior to a scheduled public hearing. The recommendation shall include the following: an evaluation of the consistency and conformance of the proposed amendment with the goals and policies of the General Plan and any applicable specific plans; the grounds for the recommendation based on the standards and purposes of the zones set forth in Section 10-40.20 (Establishment of Zones) of the Zoning Code; and a recommendation on whether the amendment should be granted or denied.

A Zoning Code Text Amendment shall be evaluated based on the following findings:

A. Finding #1:

The proposed amendment is consistent with and conforms to the objectives and policies of the General Plan and any applicable specific plan;

The amendment's primary purpose is to engage and inform the public on the development agreement process. There are no specific goals and policies that reference increasing public engagement on this topic. However, the intention of the Regional Plan is to engage the public in development cases that are often subject to development agreements. This text amendment is more of an administrative directive rather than a substantive development standard modification.

B. Finding #2

The proposed amendment will not be detrimental to the public interest, health, safety, convenience, or welfare of the City;

The amendment provisions are not anticipated to be detrimental to the public interest, health, safety, convenience, or welfare of the City. The proposed provision is intended to provide additional community notification.

C. Finding #3

The proposed amendment is internally consistent with other applicable provisions of this Zoning Code.

The amendment is internally consistent, utilizes the existing format, and does not conflict with other Zoning Code provisions. It maintains the Zoning Code's purpose as a comprehensive contemporary set of land uses and requirements that are straightforward, usable, and easily understood.

III. CITIZEN PARTICIPATION

Persons of interest on file with the Planning and Development Services section of the Community Development Division were notified of the Planning and Zoning Commission and City Council work sessions and public hearing via first-class mail. Moreover, notification of the work sessions and public hearings were published on the City's Facebook and in the Arizona Daily Sun. As of the date of this report, staff has not received any questions from the public.

V. PLANNING AND ZONING COMMISSION WORK SESSION

At the Planning and Zoning Commission Work Session of March 23, 2022, staff reviewed the proposed Zoning Code Text Amendment application with the Commission. The Commission had general questions regarding the use of electronic notification methods. Staff has brought this issue to the attention of the Planning Director for further direction.

Attachments:

1. Application
2. Draft of Case No. PZ-22-00045 Updates to Zoning Code –Notification Requirements for Development Agreements (Including Amendments)



City of Flagstaff

Community Development Division

211 W. Aspen Ave
Flagstaff, AZ 86001
www.flagstaff.az.gov

P: (928) 213-2618
F: (928) 213-2609

Date Received 2/24/22	Application for Zoning Code Text Amendment		File Number PZ-22-00045
Applicant(s)/Property Owner(s) Michelle McNulty	Title Planning Director	Phone 928-213-26	Email Michelle.mcnulty@flagstaffaz.gov
Mailing Address 211 W Aspen Avenue, Flagstaff, AZ 86001		City, State, Zip	
Representative (If applicable) Tiffany Antol	Title	Phone 928-213-2605	Email tantol@flagstaffaz.gov
Mailing Address 211 W Aspen Avenue, Flagstaff, AZ 86001		City, State, Zip	

Property Address N/A	City, State, Zip
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Application Name: Notification Requirements for Development Agreements (Including Amendments)
Zoning Code Text Amendment
Chapter Name and Number: Title 10
Division Name and Number: 10-20.40 Permits and Approvals
Section Name and Number: 10-20.40.060 Development Agreement
Chapter Name and Number:
Division Name and Number:
Section Name and Number:
Chapter Name and Number:
Division Name and Number:
Section Name and Number:

Additional Information:

Owner's Signature (required)	Date:	Representative Signature (If applicable)	Date:
For City Use			
Date Filed:	File Number(s):	Fee Receipt Number:	
P & Z Hearing Date:	Publication and Posting Date:	Amount:	
Council Hearing Date:	Publication and Posting Date:	Date:	
Received by:	Comments:		

Case No. PZ-22-00045 Updates to Zoning Code 2022 – Notification Requirements for Development Agreements (Including Amendments)

An amendment to the City Code and the Flagstaff Zoning Code

HOW TO READ THIS DOCUMENT

Unless otherwise stated, provisions that are being deleted are shown in bold red strikethrough text, like this: ~~**Provisions that are being deleted are shown with a bold red strikethroughs text.**~~

Provisions that are being added are shown in bold blue text, like this: **Provisions that are being added are shown in bold blue text.:**

Section 1. Amend Title 10 Flagstaff Zoning Code, Division 10-20.40: Permits and Approvals, Section 10-20.40.060 Development Agreements, to add subsection E. Notification Requirements for a Development Agreement, as follows:

10-20.40.060 Development Agreements

E. Notification Requirements.

- 1. Notice of a Development Agreement, including an amendment to an existing agreement. Prior to consideration of any action on a Development Agreement, notice of the City Council's public meeting shall be provided pursuant to the public hearing requirements of Section 10-20.30.080. Notice of Public Hearings.**