



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

Staff Report: Z-TA-4-14
Zoning Ordinance Text Amendment

Application No Z-TA-4-14 Amend Section 202 (Definitions) to modify the Public Assembly – Residential definition. Amend Section 622 (Commercial C-1 District – Neighborhood Retail), Section 623 (Commercial C-2 District – Intermediate Commercial), Section 624 (Commercial C-3 District – General Commercial), and Section 627 (A-1 Light Industrial District) to remove outdated canal right-of-way section reference and remove the applicability section. Amend Section 702 (Off-Street Parking and Loading) of the Zoning Ordinance regarding accessible parking standards to comply with new ADA guidelines.

Staff recommendation: Staff recommends approval of Z-TA-4-14 as shown in the recommended text in Attachment A.

Purpose/Background

This is a clean-up amendment that addresses some language inconsistencies. The intent of these changes to remove old language and refine other language within the Zoning Ordinance. There is a refinement to the definition for Public Assembly Residential to simplify what constitutes a public assembly residential use. Since the definition inception, there has been some confusion as to what would be considered public assembly-residential uses.

The Applicability Section of the text will remove the applicability section in the Commercial and Light Industrial zoning district. In 2003, a text amendment introducing the commercial design guidelines was approved. During this review, consideration was given to existing smaller sized commercial developments. The Ordinance granted some relief to existing sites. The timeframe included in the applicability provision is no longer impacted by the commercial design guidelines so the text is no longer necessary. There are also references within the canal right-of-way section which is no longer referenced in the Ordinance.

The revision to the Off-Street Parking standards is to make the Zoning Ordinance consistent with the Americans with Disabilities Act (ADA) and the Arizonans with Disabilities Act. On September 15, 2010, the United States Department of Justice's regulations relating to the ADA were amended. The 2010 ADA Standards for Accessible Design (2010 Standards) were approved and went into effect March 15, 2012.

Conclusion

This text amendment will clarify the public assembly residential definition. The amendment will also remove outdated reference to address current development standards. Finally, the text will bring the Zoning Ordinance language in line with the 2010 ADA Standards for Accessible Design which has an effective date of March 15, 2012 and the current procedures followed by staff.

Staff recommends approval of the change to the Zoning Ordinance as proposed in Attachment A.

Writer

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9/2/2014

Attachments

A. Proposed Language

Attachment A

Z-TA-4-14 – Revisions to Chapter 2 Public Assembly – Residential Staff Proposed Language

Proposed Language:

Amend Section 202 (Definitions) *Public Assembly - Residential* as follows:

PUBLIC ASSEMBLY-RESIDENTIAL: Venues where patrons gather for activities and where assemblage follows a pattern that significantly changes the normal flow of pedestrian or vehicular traffic within a residential neighborhood. It may include, but is not limited to, places of worship, and OR private schools.

Applicability in C-1, C-2, C-3 and A-1

Proposed Language:

Amend Chapter 6, Section 622 (Commercial C-1 District—Neighborhood Retail), to read as follows:

- B. ~~RESERVED~~ **Applicability.** For all projects for which unexpired preliminary or final Planning and Development Department site plan approval has been obtained prior to February 19, 2003 these standards shall not apply.

Amend Chapter 6, Section 623 (Commercial C-2 District—Intermediate Commercial) to read as follows:

- B. ~~RESERVED~~ **Applicability.** For all projects for which unexpired preliminary or final Planning and Development Department site plan approval has been obtained prior to February 19, 2003 these standards shall not apply.

Amend Chapter 6, Section 624 (Commercial C-3 District—General Commercial) to read as follows:

- B. ~~RESERVED~~ **Applicability.** For all projects for which unexpired preliminary or final Planning and Development Department site plan approval has been obtained prior to February 19, 2003 these standards shall not apply.

Amend Chapter 6, Section 627 (A-1 Light Industrial District) to read as follows:

- B. ~~RESERVED~~ **Applicability.** For all projects for which unexpired preliminary or final Planning and Development Department site plan approval has been obtained prior to February 19, 2003 these standards shall not apply.

Cleanup Corrections to Chapters 6 regarding canal right-of-way setbacks

Proposed Language:

Amend Chapter 6, Section 622.E.4.c by deleting the following:

- c. ~~(1)~~ Canal Right-of-Way Setbacks: An average twenty (20) foot setback shall be provided for sites containing structures not exceeding two (2) stories or thirty (30) feet in height with a minimum fifteen (15) foot setback permitted for up to fifty percent (50%) of the structure (including projections). An average thirty (30) foot setback shall be provided for sites containing any structure exceeding two (2) stories or thirty (30) feet in height with a minimum twenty (20) foot setback permitted for up to fifty percent (50%) of the structure (including projections). Landscaping equal to the required average setback times the canal frontage (exclusive of necessary driveways or canal right-of-way access ways) shall be provided adjacent to the canal right-of-way property line and shall not be less than fifteen (15) feet in depth ~~except as provided in (2) below.~~ *18 *21

~~(2) Reserved. +18 -31~~

Amend Chapter 6, Section 623.E.4.c by deleting the following:

- c. **(4)** Canal Right-of-Way Setbacks: An average twenty (20) foot setback shall be provided for sites containing structures not exceeding two (2) stories or thirty (30) feet in height with a minimum fifteen (15) foot setback permitted for up to fifty percent (50%) of the structure (including projections). An average thirty (30) foot setback shall be provided for sites containing any structure exceeding two (2) stories or thirty (30) feet in height with a minimum twenty (20) foot setback permitted for up to fifty percent (50%) of the structure (including projections). Landscaping equal to the required average setback times the canal frontage (exclusive of necessary driveways or canal right-of-way access ways) shall be provided adjacent to the canal right-of-way property line and shall not be less than fifteen (15) feet in depth ~~except as provided in (2) below.~~ *22 *26

(2) Reserved. +22-36

Amend Chapter 6, Section 624.E.4.c by deleting the following:

- c. **(4)** Canal Right-of-Way Setbacks: An average twenty (20) foot setback shall be provided for sites containing structures not exceeding two (2) stories or thirty (30) feet in height with a minimum fifteen (15) foot setback permitted for up to fifty percent (50%) of the structure (including projections). An average thirty (30) foot setback shall be provided for sites containing any structure exceeding two (2) stories or thirty (30) feet in height with a minimum twenty (20) foot setback permitted for up to fifty percent (50%) of the structure (including projections). Landscaping equal to the required average setback times the canal frontage (exclusive of necessary driveways or canal right-of-way access ways) shall be provided adjacent to the canal right-of-way property line and shall not be less than fifteen (15) feet in depth ~~except as provided in (2) below.~~ *10 *15

(2) Reserved. +10-22

Proposed Language:

Amend Chapter 7, Section 702 (Off-Street Parking and Loading) paragraph G.5 as follows:

5. **Covered parking.** Where parking is provided in a parking garage or under shade canopies, the ratio of covered to uncovered accessible parking spaces shall not be less than the ratio of covered to uncovered non-accessible parking spaces. Where accessible parking spaces are provided within a parking garage or under a canopy, 1 in ~~8~~ 6 or not less than one of the accessible spaces shall be designated for high-profile vehicles with a minimum headroom clearance of eight (8) feet two (2) inches provided in all parking, maneuvering and circulation areas serving such spaces. Except when all accessible spaces are high-profile spaces, special signage shall be provided to identify high-profile accessible parking spaces and to direct users to the location of both high profile and standard-height accessible parking spaces.
