

DEFINITIONS

Dwelling – One or more habitable rooms for residential use that are used as a home, residence, or sleeping place by one or more persons and which may contain sleeping, sanitary, and cooking facilities. Dwelling includes an apartment or condominium. This does not include a motel or hotel room (see “Lodging”) or suite or guest rooms in a boarding house (see “Boarding and Rooming Facilities”) or bed and breakfast (see “Bed and Breakfast Establishment”).

Dwelling, Multiple-Family - A dwelling contained in a building comprised of four or more dwelling units.

Rooming and Boarding Facility – A residence or dwelling, other than a hotel, wherein three or more rooms, with or without individual or group cooking facilities, are rented to individuals under separate rental agreements or leases, either written or oral, whether or not an owner, agent, or rental agent is in residence. Includes dormitories, single room occupancy, fraternities and sororities.

ALLOWED USE-Use, Authorized: Any use that is or may be lawfully established in a particular zone, provided that it conforms to all requirements of these regulations for the zone in which such use is located.

[Specific to Zones, Applicability: If a proposed use is not listed in a zone in the following Allowed Uses tables as a permitted or conditionally permitted use it, shall not be permitted unless the Director determines that the proposed use, is substantially similar to a use specified as a permitted or conditional use in that zone.]

Conditional Use – A use that would not be appropriate without restriction, but which is permitted provided that all performance standards and other requirements of the Zoning Code are met.

Findings 10-20-40.050

Family:

1. One or more persons related by blood, marriage, adoption, or affinity, and resident domestic employees, which occupy a dwelling unit and live as a single housekeeping unit; or
2. Persons with disabilities as so defined in Title VII of the Civil Rights Act of 1968, as amended by the "Fair Housing Act"; or
3. Not more than eight unrelated persons, living together as a single housekeeping unit in a dwelling unit.

Floor Area Ratio (FAR) –

Floor Area Ratio, Gross (GFAR): An intensity measured as a ratio derived by dividing the total floor area of a building or structure by the base site area (or lot area as modified for established development districts).

Floor Area Ratio, Net (FAR): An intensity measured as a ratio derived by dividing the total floor area of a building or structure by the net buildable site area.

REQUIRED FINDINGS FOR A REQUEST TO REZONE

Findings for Reviewing Proposed Zoning Map Amendments and Text Amendments

1. An amendment to the Zoning Map or the text of this Zoning Code may be approved only if all of the following findings are made, as applicable to the type of amendment:

a. Findings for Zoning Map Amendments:

(1) The proposed amendment is consistent with and conforms to the goals of the General Plan and any applicable specific plans;

(2) The proposed amendment will not be detrimental to the public interest, health, safety, convenience, or welfare of the City and will add to the public good as described in the General Plan; and

(3) The affected site is physically suitable in terms of design, location, shape, size, operating characteristics and the provision of public and emergency vehicle (e.g., fire and medical) access, public services, and utilities (e.g., fire protection, police protection, potable water, schools, solid waste collection and disposal, storm drainage, wastewater collection, treatment, and disposal), to ensure that the requested zone designation and the proposed or anticipated uses and/or development will not endanger, jeopardize, or otherwise constitute a hazard to the property or improvements in the vicinity in which the property is located.

REQUIRED FINDINGS FOR A CONDITIONAL USE PERMIT

The Planning Commission may approve the Conditional Use Permit only after making the following findings:

- 1) That the conditional use is consistent with the objectives of this Zoning Code and the purpose of the zone in which the site is located.
- 2) That granting the conditional use will not be detrimental to the public health, safety or welfare. The factors to be considered in making this finding shall include, but not be limited to:
 - a. Property damage or nuisance arising from noise, smoke, odor, dust, vibration or illumination;
 - b. Hazard to persons or property from possible explosion, contamination, fire or flood; and,
 - c. Impact on surrounding areas arising from unusual volume or character of traffic.
- 3) That the characteristics of the conditional use as proposed and as it may be conditioned are reasonably compatible with the types of uses permitted in the surrounding area. The Conditional Use Permit shall be issued only when the Planning Commission finds that the applicant has considered and adequately addressed the following to ensure that the proposed use will be compatible with the surrounding area:
 - a. Access, traffic, and pedestrian, bicycle and vehicular circulation;
 - b. Adequacy of site and open space provisions, including resource protection standards, where applicable;
 - c. Noise, light, visual and other pollutants;
 - d. Proposed style and siting of structure(s), and relationship to the surrounding neighborhood;
 - e. Landscaping and screening provisions, including additional landscaping in excess of otherwise applicable minimum requirements;
 - f. Impact on public utilities;
 - g. Signage and outdoor lighting;
 - h. Dedication and development of streets adjoining the property; and
 - i. Impacts on historical, prehistoric or natural resources.

MIXED USE

General: A mixed-use development combines residential and nonresidential uses, or different types of nonresidential uses, on the same site, with the residential units typically located above the nonresidential uses (vertical mixed use). Residential units may be allowed at ground level behind street-fronting nonresidential uses (horizontal mixed use) only under the limited circumstances specified by this Section. Upper floors may also be occupied by office uses. Examples are given in Figure A.

1. Mixed-use development shall incorporate a minimum of two uses.
2. Residential uses are not required to be part of the mixed-use development.
3. If any one of the uses of the mixed-use development requires the approval of a Conditional Use Permit then the development in its entirety shall be subject to the CUP in compliance with Section 10-20.40.050 (CUPs).
4. Only uses allowed in the underlying zone shall be permitted in the mixed-use development.

MIXED USE - EXAMPLE

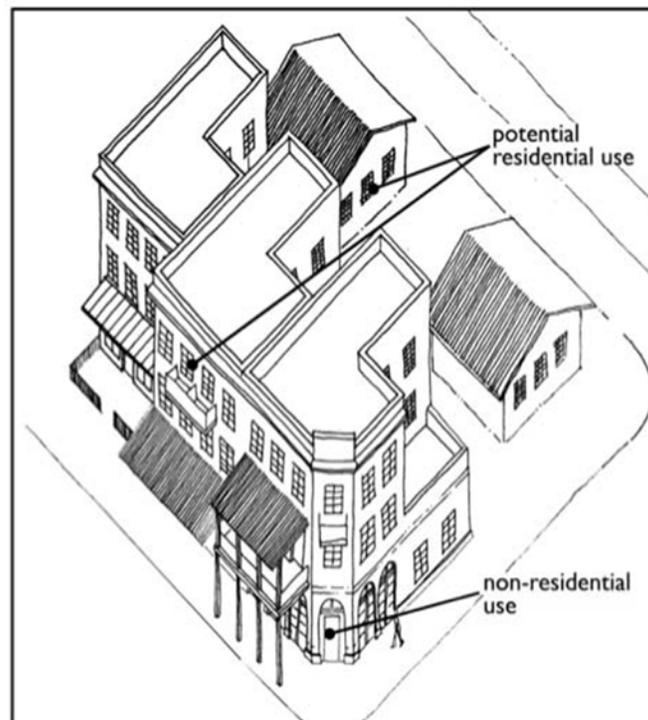


Figure A. Vertical and Horizontal Mixed-Use Development

APPLICABLE ZONING DISTRICTS

MR - The Medium Density Residential (MR) Zone applies to areas of the City appropriate for moderate density residential. This Zone allows a variety of housing types, including affordable and planned residential development that allow for higher densities.

Density Requirements

Gross (units/acre):	<u>Minimum</u>	<u>Max. Outside RPO</u>	<u>Max. Within RPO</u>
	6	14	9

HR - The High Density Residential (HR) Zone applies to areas of the City appropriate for medium to high density multiple-family residential development. This Zone is intended to provide an environment having maximum living amenities on site while providing affordable housing, residential design flexibility, more efficient use of open space, and better separation of pedestrian and vehicular traffic. This Zone allows affordable and planned residential development that allow for higher densities.

Density Requirements

Gross (units/acre):	<u>Minimum</u>	<u>Max. Outside RPO</u>	<u>Max. Within RPO</u>
	13	29	22

HC - The Highway Commercial (HC) Zone applies to areas of the City appropriate for a full range of automobile-oriented services. The development of commercial uses in addition to residential uses is encouraged in the HC Zone to provide diversity in housing choices, provided that residential uses are located above or behind commercial buildings so that they are buffered from adjoining highway corridors. The provisions of this Zone are also intended to provide for convenient, controlled access and parking, without increasing traffic burdens upon the adjacent streets and highways. This Zone is designated primarily at the commercial corridors of the City, with the intention of making the City more attractive as a tourist destination while providing needed commercial activity.

Density Requirements

Gross (units/acre):	<u>Density (units/acre) (max.)</u>	<u>Gross FAR (max)</u>
	13	3.0 Excludes residential square feet (gross) when above or behind commercial uses

COMMUNITY CONVERSATION ON STUDENT HOUSING
OCTOBER 27, 2014
CITY OF FLAGSTAFF
City Code, Chapter 10 - Zoning